
APPLICATION DETAILS

Application No:	21/0290/FUL
Location:	20 Fountains Drive Middlesbrough, TS5 7LJ
Proposal:	Erection of 1no detached dwelling
Applicant:	Mr John Bradley
Agent:	Mr Sean Mclean
Ward:	Acklam
Recommendation:	Approve with conditions

SUMMARY

This application seeks the erection of a two-storey dwelling on the section of residential garden located immediately to the north of 20 Fountains Drive in Acklam. The vehicle access for the property will be provided directly from Sledmere Drive.

The application site is located on a corner plot at the junction of Sledmere Drive and Fountains Drive in a predominately residential area of Acklam. The frontage of the property will face towards Fountains Drive with a section of close boarded boundary fence positioned along part of the side boundary facing Sledmere Drive.

The applicant is seeking the erection of a four bedroomed detached dwelling on the residential land to the side of 20 Fountains Drive. Since the original submission the plans have been amended to reduce the width of the two-storey element of the dwelling by 1.5 metres and to provide a reduced hipped roof detail on the rear elevation. The proposed side boundary fence has been relocated to be set away from the pavement along Fountains Drive/Sledmere Drive. The application site has been granted previous approval for a detached two storey dwelling and a separate application for a dormer bungalow on the site and the principle of development of residential development in this location is established as a result.

The proposal will include the demolition of the existing detached garage, relocation of the properties existing entrance door and first floor bedroom window from the side elevation to the front elevation and the installation of a front driveway at the host property at 20 Fountains Drive, all of which falls within the permitted development regulations and does not require planning permission.

Following a consultation exercise there have been 42 objections received from neighbours and an objection from Councillor Sheila Dean and Councillor Eric Polano as well as two support comments. The objections relate primarily to the scale of the development, loss of privacy and amenity, overbearing impact, noise and dust, impact on the character and

appearance of the street scene, highway safety, construction traffic, drainage, no need for the housing and the devaluation of neighbouring properties.

The support comments relate to the proposal improving the current anti-social behaviour on this section of land, the fact speeding concerns can be addressed separately, drainage issues are unrelated to this property and the dwelling building line follows those of Sledmere Drive and Fountains Drive.

The revised design and reduced scale of the dwelling are considered to achieve a property which is in keeping with the scale, design and character of the existing semi-detached two-storey properties along Fountains Drive. The separation distances, location of the dwelling and the position of the windows/doors relative to other properties are considered to ensure the privacy and amenity of the neighbouring properties will not be significantly affected. The proposed vehicle access to the rear of the property from Sledmere Drive is sufficient distance from the junction to ensure no impact on the existing visibility splays whilst providing adequate parking provision for the proposed dwelling with no additional impacts on highway safety. The development is considered to be in accordance with Policies DC1, CS4, CS5 and H11 and is recommended for approval subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is an area of open residential curtilage located to the north of 20 Fountains Drive. The site is located on the corner of Fountains Drive and Sledmere Drive. The proposal is for the erection of a two-storey detached dwelling with vehicle access from Sledmere Drive.

The proposed two-storey dwelling will front Fountains Drive with the frontage being set back from the highway to be in-line with the existing properties along the eastern side of Fountains Drive. It will have a pitched roof design with a maximum ridgeline roof height of 6.9 metres with a lower gable roof tying in at the rear. The dwelling will provide a lean to entrance porch to the front and a single storey outshoot section to the rear. The single storey extension will have a flat roof design with roof lantern and will project 2.5 metres out from the main building section. The depth of the two-storey element of the building will be 9.3 metres with the overall depth, including the single storey rear extension and the porch will be 13.3 metres. The overall footprint of the building will be 78 square metres.

The materials for the dwelling will be multi red facing brickwork, Marley Edgemere roof tiles with anthracite grey UPVC windows. The driveway will be block paving.

The proposal includes a 2 metre high close boarded boundary fence to the side of the proposed dwelling and the rear garden which will be set back a minimum of 2 metres from the footpath along Sledmere Drive with the driveway gates set back 5 metres from the footpath.

Since the original submission the following changes have been made to the proposal:-

- a. The rear section of the main two-storey section of the building has been reduced by 1.5 metres from the initial submission.
- b. The rear elevation of the building has been amended to provide a lower gable roof design
- c. The boundary fence to the side has been set in from the footpaths along Fountains Drive and Sledmere Drive.

The application is supported by a Design and Access Statement.

PLANNING HISTORY

The following applications have been submitted for the application site:-

M/FP/0352/12/P – Erection of 1no detached dwelling and garage, approved June 2012

M/FP/0614/15/P - Erection of 1no dormer bungalow with detached garage and landscaping (demolition of existing garage), refused July 2015. The reason for refusal were the scale and position within the plot in relation to the surrounding housing layout and built form creating an undue impact on the appearance and character of the area due to the prominent corner plot position.

M/FP/1345/15/P - Erection of 1no dormer bungalow with landscaping and boundary treatment (demolition of existing garage), approved by committee in February 2016.

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

CS4 - Sustainable Development

CS5 - Design

DC1 - General Development

H11 - (Housing Strategy)

UDSPD - Urban Design SPD

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

There have been 42 objections received following the neighbour consultation and the site notice.

An objection comment has been received from the Councillor Eric Polano and Councillor Sheila Dean the local ward councillors.

Two support comments have been received from the host property at 20 Fountains Drive.

The objection comments are summarised as follows:-

Amenity

- Loss of Privacy from the front elevation windows facing towards row of bungalows and particularly 1 Northwood and 15 Fountains Drive
- Overlooking issues from 2 storey property to the bungalows opposite, particularly from the first floor windows of the proposal given direct access into the bungalow windows
- Overbearing impact of 2 storey property on the neighbouring bungalows
- Loss of view
- Loss of light/shadowing impact
- Noise/Dust/mess from construction
- Impact on beauty and quietness of the area
- Will be looking out onto a brick wall

Character and Appearance

- Extent of the build not in keeping with existing 1960's properties and bungalows

- Bungalows all along Sledmere Drive and to add a large four bed roomed property would be out of keeping
- Properties on the corner plots are open plan and set back from the pavement so not in keeping
- Scale, height and amount of brickwork on the side elevation with 1 window and a 6 foot fence is out of character with the area.
- Overdevelopment of the plot

Highways

- Reduced highway visibility on the corner plot so potential for serious traffic accident
- Off Road parking issues given the location of the drive for visitors/deliveries with being on a corner plot and opposite existing driveways
- Highways safety on a corner plot
- Witnessed several cars on the grass verge and knocking the highway signs/ tree on this corner
- Construction traffic impact and safety concerns
- No space for visitor parking with being on a corner plot
- On street parking on the corner plot create highway issues
- Children utilise this route on daily basis for school so pedestrian safety concerns
- Road already used as a cut through to Hall Drive and Tollesby Road creating existing additional traffic
- Issues already at the junction in winter with black ice

Drainage

- Potential impact on drainage and water run off with additional property and double driveway
- Ongoing issues with drainage/sewerage within the area which Northumbrian Water is aware of that remain outstanding.

Housing

- No requirement for additional housing in the area
- Already several properties within a mile radius which are up for sale
- Proposal should not have been put forward
- Smaller property on the land rejected

Consultation

- Lack of consultation from adjacent properties on Sledmere Drive

Residual Issues

- Devaluation of properties

Previous planning permissions

- 2 failed previous attempts for bungalows this is the most ridiculous

The objection comments were received from:-

- 1 Fountains Drive x 2 residents
- 5 Fountains Drive
- 6 Fountains Drive x 2 residents
- 8 Fountains Drive x 2 residents
- 10 Fountains Drive x 2 residents

- 15 Fountains Drive
- 16 Fountains Drive
- 18 Fountains Drive
- 19 Fountains Drive x 2 residents
- 21 Fountains Drive x 2 residents
- 23 Fountains Drive
- 24 Fountains Drive
- 26 Fountains Drive x 2 residents
- 14 Sledmere Drive x 2 residents
- 18 Sledmere Drive x 3 residents
- 19 Sledmere Drive x 2 residents
- 21 Sledmere Drive
- 25 Sledmere Drive
- 27 Sledmere Drive
- 1 North Wood
- 2 North Wood
- 3 North Wood x 2 residents
- 7 North Wood x 2 residents
- 10 North Wood x 2 residents
- 45 North Wood x 2 residents
- 86 Tollesby Road x 2 residents

Cllr Eric Polano (summarised)

Thank you for your update on the planning application. I believe I have received complaints from nearby residents, regarding the proposed building. In view of the fact that some residents are already complaining, I would suggest that the application is turned down. Thank you for your support in this case

Cllr Sheila Dean

I would like to voice my objections to the above planning application. Will you please keep me informed of its progress, and when it will be going to committee, as I would like to speak on behalf of the residents

Support comments from 2 residents at the host property at 20 Fountains Drive are summarised below :-

- Issues with anti-social behaviour on this corner area and previous boundary fence and planted trees resulted in complaints and so the fence was moved back and trees removed.
- Speed on road is 20mph and if drivers do not adhere to the limit other measures can be implemented.
- Build is within the building line of Fountains Drive and Sledmere Drive.
- Drainage issues were with construction of Oakwood Academy and relate to odd numbers on western side of Fountains Drive

The following comments have been received from the statutory consultees:-

MBC Highways

Development proposals seek to erect a single dwelling on a corner plot of open land at the junction of Fountains Drive and Sledmere Drive.

The plot of land in question falls outside of the public highway and is not owned by the authority. As such sightlines for vehicles at the junction cannot include this area of land as it is not under the control of the authority. The sightlines that are achievable, within the public

highway, are in accordance with national guidance and as such the construction of the dwelling will not have a detrimental impact on visibility nor highway safety.

Access and parking to the existing property (20 Fountains Drive) is to be taken from a new dropped vehicular crossing to Fountains Drive, which is acceptable and consistent with other properties in the locality. Access and parking to the proposed property utilises the existing vehicle crossing onto Sledmere Drive. Parking for both the existing and proposed dwelling is acceptable.

No highway objections are raised subject to a condition requiring car and cycle parking provision to be installed prior to occupation and informatives relating to providing a method of works statement and the installation of a dropped kerb access.

Cleveland Police Architectural Liaison Officer

In relation to this application, I recommend applicant actively seek to develop to accredited Secured By Design standards. Full guidance is available within the SBD Homes 2019 guide at www.securebydesign.com. They can also contact me for any advice, input I can offer in relation to designing out opportunities for crime to occur.

Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Public Responses

Number of original neighbour consultations	15
Total numbers of comments received	29
Total number of objections	42
Total number of support	2
Total number of representations	0

Site notice posted – 21st May 2021

PLANNING CONSIDERATION AND ASSESSMENT

1. The main considerations with this proposal are the principle of the development, the impact on the character and appearance of the street scene, the impact on the privacy and amenity of the neighbouring properties and the impact on highway safety.

Principle of the development

2. The National Planning Policy Framework (revised July 2021) sets out the planning system's principle aim to contribute to the achievement of sustainable development through three overarching principles being economic, social and environmental. Development will be considered to be in-line with Local Plan policies but also taking into account local circumstances to reflect the character, needs and opportunities of an area.

3. The Council's Core Strategy Policies CS4 (Sustainable Development), CS5 (Design), DC1 (General Development) and Housing Local Plan Policy H11 (Housing Strategy) reflect the principles of the NPPF in term of the criteria for considering new housing development and is relevant to this proposal.
4. Policy CS4 requires each development to contribute to sustainable economic development principles by making the most efficient use of land. The application site is within walking distance of the Newham Bridge Primary School, Beverley School, Outwood Academy and the Saltersgill Avenue local centre and is within walking distance of major bus routes. The site is considered to be within a sustainable location and accords with Core Strategy Policy CS4.
5. Housing Local Plan Policy H11 promotes the need to increase the supply of housing to meet the aspirations of the economically active population, which consolidates and builds upon the success of popular neighbourhoods within the town. Policy H11 emphasises the need to ensure the quality of life is maintained through protecting high environmental quality of the area and any new development will be of a high quality and within an appropriate location.
6. The application site forms part of the current residential curtilage of the host property at 20 Fountains Drive. The principle of a residential dwelling on the site has been previously considered and approved through two separate planning applications in 2012 and 2016.
7. Within the existing street scene there is a mixture of house types with semi-detached and detached bungalows alongside semi-detached and detached two-storey properties. The proposed two-storey detached dwelling is considered to make a modest contribution to the existing housing supply. Having taken into consideration the context of the existing housing supply within the area, the location of the proposed dwelling is considered acceptable and is not considered to have a detrimental impact on the quality of the surrounding environment.
8. The location of the application site is the subject of previous planning approval for a residential dwelling and will provide a high quality dwelling of a scale which is considered to appropriate in this location. Therefore the proposal is considered to accord with the guidance set out in Housing Local Plan Policy H11 (Housing Strategy).

Character and appearance

9. The National Planning Policy Framework (NPPF) establishes that good design is a key to achieving sustainable development.
10. Paragraph 130 of the NPPF sets out that planning decisions should ensure developments 'function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development' and are 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping.'
11. Specifically within paragraph 130 of the NPPF reference is made to new development being 'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change' with a 'high standard of amenity for existing and future users.'
12. The Council's Core Strategy Policy CS5 (c) comments that all new development should secure a high standard of design and ensure that it is well integrated with the immediate and wider context. With Policy CS5 (f) requiring the quality of new development to enhance both the built and natural environment.

13. Within the immediate vicinity of the application site is a mixture of house types and designs. To the south along Fountains Drive are two-storey semi-detached properties with single storey garages to the side and directly opposite the application site are semi-detached bungalows along Fountains Drive and North Wood. To the north and north-east of the application site are semi-detached bungalows along Sledmere Drive. An area of open space is located to the north on the corner of Sledmere Drive and Fountains Drive.
14. The position of the dwelling within the plot will ensure the existing building lines along both Fountains Drive and Sledmere Drive are retained. The side elevation of the dwelling will be in-line with the front elevations of the bungalows to the east along Sledmere Drive and the front elevation of the dwelling will be in-line with the existing building line of the two-storey dwellings on the eastern side of Fountains Drive. Although the property is a detached dwelling rather than a semi-detached house type, the overall width of the dwelling is comparable to the widths of the existing semi-detached properties along Fountains Drive.
15. Objection comments have been received regarding the scale of the dwelling. Since the original submission the design of the proposed dwelling has been altered to reduce the scale of the dwelling to reflect the character and appearance of the existing two-storey dwellings along Fountains Drive. The proposed depth of the two-storey section of the dwelling has been reduced by 1.5 metres. The result is that the two-storey rear elevation projects only 2 metres beyond the original rear elevation of the properties at 20, 24 and 26 Fountains Drive.
16. Revisions to the rear elevation design provides a hipped roof detailing above the two-storey section of the building which extends the 2 metres beyond the neighbours rear elevation at 20,24 and 26 Fountains Drive. This hipped roof detail with the lower ridgeline roof height will have the appearance when viewed from the street of a typical two-storey extension to the rear of an original two-storey property and therefore assist in being 'in keeping' with the predominant vernacular design of the street.
17. The single storey rear off shoot project across the full width of the dwelling, but has been limited to a projection length of 2.3 metres from the rear elevation. The scale of the single storey off-shoot and the modern design is considered to be appropriate in terms of the design of the proposed dwelling and the character of the existing street scene.
18. The design of the front elevation of the dwelling is considered to reflect the design of the semi-detached properties within Fountains Drive. A single storey lean to entrance porch detail is provided which is an existing characteristic of the two-storey properties along Fountains Drive with Marley Eternit Cedral Board detailing around the front elevation windows.
19. Objection comments have been made regarding the fact corner plots within the street are open plan and this would be of character with this current design layout. Despite the proposed dwelling resulting in the loss of some of the open grassed area to the side of the host property the overall scale and location of the dwelling within the plot has retained an area of open grass to the corner of the site preventing the proposed dwelling from dominating the character and appearance of the corner plot.
20. In terms of the boundary treatment, along Sledmere Drive there is an existing section of close boarded fence to the site of their detached garage which encloses the host properties garden area. The remainder of the corner junction of the site is open grass since the removal of the established trees. It is acknowledged that the proposal will

result in the loss of a proportion of the current open character on the corner of the junction. However, the proposed site plan shows the retention of a section of open grass area at the corner junction of the site with the front and side elevation of the dwelling.

21. Objection comments have been received that the two-storey dwelling will not be in keeping with the 1960's bungalows, however, as there is a mixture of house types within the immediate vicinity with two-storey semi-detached properties along Fountains Drive and semi-detached bungalows along both Fountains Drive and Sledmere Drive. The property will be visible from Sledmere Drive and the layout of the proposed dwelling has ensured the side elevation will be in-line with the existing front elevation of the bungalows along Sledmere Drive. Visually the proposed dwelling will appear as a continuation of the row of two-storey properties along Fountains Drive and is considered to be in keeping with the character and appearance of the street scene.
22. Objection comments have been received that the scale, height, amount of brickwork and lack of side elevation windows and 6 foot fence is out of character with the street scene and is overdevelopment. The side elevation of the proposed dwelling does include a door and window on the ground floor and window on the first floor. The proposed boundary fence is similar in terms of the location and design as the current rear/side boundary fence at the host property. The overall footprint of the dwelling will be approximately 78 square metres with the overall size of the plot itself being 325 square metres so in terms of the scale of the dwelling to the overall plot, the proposal is considered to not be overdevelopment.
23. An objection comment has referenced that a smaller property was previously rejected on the site. The planning history for the site includes a 2012 approval for a detached two-storey dwelling that fronted Sledmere Drive (appendix 1 approved plans). A subsequent detached dormer bungalow was refused in 2015 (Appendix 2). The reasons for refusal were due to the scale and position of the bungalow within the plot and due to the surrounding housing layout and built form the proposal was considered to have an undue impact on the appearance and character of the area due to the prominent corner plot position. A subsequent dormer bungalow application was then approved in 2015 which fronted Sledmere Drive (Appendix 3).
24. In terms of the scale of the previous proposals, the 2012 approved two-storey dwelling had a footprint of 62 square metres and the 2015 dormer bungalow approval had a footprint of 89.5 square metres. The current proposals has a footprint of 78 square metres so is smaller than the most recent 2015 dormer bungalow approval. Although the 2015 approval was for a dormer bungalow the overall ridgeline roof height was 5.9 metres with the proposed two-storey dwelling roof height being 6.9 metres. Given the scale of the existing two-storey dwellings within Fountains Drive and the previous approvals within the site, the scale of the proposed dwelling is considered to be acceptable.

Privacy and Amenity

25. Paragraph 130 (f) of the National Planning Policy Framework (NPPF) sets out that planning decisions should ensure developments 'promote health and well-being, with a high standard of amenity for existing and future users.'
26. Core Strategy Policy DC1 comments that all new development should consider the effects on the amenities of the occupiers of nearby properties both during and after completion.

27. Objections comments have been received regarding loss of privacy and overlooking to the properties directly opposite on Fountains Drive and to the rear of the application site on Sledmere Drive.
28. The application site is located on a corner plot with residential properties surrounding the site. The proposed dwelling will be orientated so the front elevation faces towards the semi-detached bungalows at 1 North Wood and 15 Fountains Drive. The front elevation windows of the proposed dwelling will be positioned 21.7 metres from 1 North Wood and 15 Fountains Drive. The separation distance that will remain between the habitable room windows accords with the 21 metre privacy guidance distance set out within the Council's Urban Design Supplementary Planning Document (UDSPD) and so there is considered to be no significant issues in terms of loss of privacy.
29. The ground floor bi-folding doors on the rear elevation will be located approximately 15.5 metres from the neighbour's side elevation door and window at 22 Sledmere and the first floor windows approximately 17.9 metres. The Council's UDSPD comments that a separation distance of 14 metres is considered acceptable in terms of primary windows that face towards side elevations. The proposal accords with the privacy distances set out in the Council's UDSPD.
30. The side elevation of the proposed dwelling will have a kitchen window and utility door on the ground floor and an en-suite window on the first floor that will face towards the front elevation of 29 Sledmere Drive and the side elevation of 18 Fountains Drive. A minimum separation distance of 37 metres will remain between the proposed windows and the neighbours at 29 Sledmere Drive and 18 Fountains Drive, which accords with the 21 metre privacy distance suggested in the Council's UDSPD.
31. The proposed dwelling will provide additional windows on the first floor rear elevation which will face towards the front garden area at 22 Sledmere Drive. The current front garden area at 22 Sledmere Drive is an open garden and not an enclosed private space so the impact on the privacy of the users of the front garden area is considered not to be significant. The first floor windows will be at an oblique angle to the rear garden area at 22 Sledmere Drive with no direct overlooking.
32. The front elevation windows and the rear windows and bi-folding doors of the proposed dwelling will not directly face any habitable room windows of the host property at 20 Fountains Drive. The proposed windows and doors will be at an oblique angle to the front and rear garden areas of the host property and are therefore considered not to have any significant impact on the privacy of the neighbour's at 20 Fountains Drive.
33. Objection comments have been received regarding the potential overbearing impact given the proposal is two-storey and the neighbouring properties are bungalows.
34. The proposed dwelling will introduce a new building on an area of current grass within an existing residential garden. The proposed dwelling will be sited to the north of an existing row of established semi-detached two-storey properties along Fountains Drive. The main two-storey front elevation of the proposed dwelling will be located in line with the existing front elevations of the two-storey properties along Fountains Drive. Providing the same separation distance of approximately 20.7 metres from the bungalows opposite as the existing properties located on the eastern side of Fountains Drive. Given the existing height and location of the two-storey properties on the eastern side of Fountains Drive, the proposed dwelling is considered not to have an overbearing impact on the bungalows opposite at 1 North Wood and 15 Fountains Drive.
35. The rear elevation of the dwelling will project towards the bungalow located to the rear of the application site at 22 Sledmere Drive. There will remain a minimum separation

distance of 15.5 metres from the rear elevation of the single storey extension and the side elevation of 22 Sledmere Drive. Given the separation distance which will be retained, the proposed dwelling is not considered to have a significant overbearing impact on the occupants of 22 Sledmere Drive.

36. In terms of potential overbearing impact on the host property, the two-storey elevation of the proposed dwelling will project 2 metres beyond the existing rear elevation of 20 Fountains Drive, with an additional single storey rear extension. The Council's UDSPD guidance considers two-storey extensions to the rear as being acceptable providing they are set in from the boundary. The rear of the proposed dwelling will project at two-storey 2 metres beyond the host properties rear elevation with the single storey extension projecting a further 2.3 metres. The overall projection length beyond the host properties original rear elevation is therefore considered to be acceptable with no overbearing impact.
37. Objection comments have been received in terms of loss of light and potential shadowing impact. The separation distance that will remain between the proposed dwelling and 1 North Wood, 15 and 18 Fountains Drive and 29 Sledmere Drive means there will be no significant impact in terms of loss of light or overshadowing. Consideration has been given to the closest bungalow at 22 Sledmere Drive located to the north-east of the application site. Taking into consideration the sun's orientation and the location of the dwelling there will be no significant loss of light or potential overshadowing to the occupants of 22 Sledmere Drive.
38. The proposed dwelling will be located to the north of the host property at 20 Fountains Drive with the side elevation being positioned 1 metre from the original side elevation of the host property. The location of the proposed dwelling and the sun's orientation means the impact in terms of loss of light to the property is considered not to be significant.
39. Objection comments have been received regarding the potential dust and noise from the construction of the dwelling. With the proposal being for a single dwelling and not involving any significant demolition works the impact in terms of dust is not considered significant. There will be some associated noise from the construction of a new dwelling, should the noise levels be prevalent outside of normal working hours then this would be a matter which could be addressed through environmental protection legislation rather than through planning legislation.

Highway Safety

40. The proposal will remove the existing driveway and detached garage that is accessed from Sledmere Drive and is positioned to the side of the host property at 20 Fountains Drive. The proposed driveway will be a double width with access gates set back approximately 5 metres from the pavement and accessed off Sledmere Drive and positioned towards the existing rear boundary fence.
41. The proposal will include providing a new driveway to the front of the host property at 20 Fountains Drive, which can be completed under permitted development without requiring planning permission.
42. Objection comments have been received relating to highway/pedestrian safety with the proposal being located on a corner plot and on a school route.
43. The Council's Highway officers have commented that the application site is located falls outside of the public highway and is not within the ownership of the Local Authority. With the land being outside of the control of the Local Authority the sightlines

for vehicles at this junction cannot include this area of land with it not being in the ownership of the Local Authority. However, the sightlines which are achievable, within the public highway, are in accordance with national guidance and as such the construction of the dwelling will not have a detrimental impact on visibility or highway safety.

44. The new access driveway of the proposed dwelling will be located towards the rear boundary of the application site with access from Sledmere Drive. The new access will be set further away from the junction of Fountains Drive and Sledmere Drive and will be positioned towards an existing driveway at 22 Sledmere Drive. The location of the proposed driveway and the parking provision provided is considered in highway terms to be acceptable.
45. Objection comments have been received regarding off street parking/ deliveries and construction traffic considering the corner plot location of the new dwelling. The proposed access and parking to the existing property at 20 Fountains Drive is to be taken from a new dropped vehicular crossing to Fountains Drive, which is consistent with other properties within the area and is considered to be acceptable. The proposed number of parking spaces provided for both the host property and the proposed dwelling accords with the guidance set out in the Tees Valley Design Guide. An informative will be placed on the decision requiring a dropped kerb access and a method of works statement to be provided for the development.
46. The parking provision provided for both the host dwelling and the proposed dwelling is considered to be acceptable and there are no highway objections, subject to a condition that prior to occupation of the new dwelling the parking provision for both properties is completed.

Residual Issues

47. Objection comments set out potential drainage issues with a double width driveway and highlight existing drainage/sewerage issues within the area which Northumbrian Water are aware of that remain outstanding. The double width driveway could be installed without planning permission providing it is permeable materials. The proposal will be conditioned to require the details of the driveway materials to be provided. Northumbrian Water have been consulted and raised no comments/objections to the proposal.
48. Objection comments have been received regarding the loss of view and the fact the views will be toward a brick wall. The loss of view is not a material planning consideration which can be considered as part of the application. Each of the proposed elevations of the property, except the elevation facing the host property at 20 Fountains Drive have doors and windows which will ensure a feature on the elevations rather than a solid featureless brick wall.
49. Objection comments have been received regarding the requirement for a new dwelling given the current levels of properties for sale in the area, however, this is not a material planning consideration. The reasoning for properties being for sale is unknown and the provision for properties as individual windfall sites is in line with the principles of national and local planning policy.
50. Objection comments relate to the lack of consultation on the proposal. There were 38 neighbours consulted on the application and a site notice placed opposite the site to provide wider publicity of the proposed development. Officers are satisfied with the level of consultation undertaken.

51. Comments have been received that the proposal will devalue the current properties in the area. The devaluation of properties is not a material planning consideration which can be considered.
52. Foul and surface water drainage will most suitably connect to the existing maintained drainage which existing properties connect to. The new dwelling will require a building regulation approval and these matters, in terms of suitable connection, will be dealt with under than legislation.

RECOMMENDATIONS AND CONDITIONS

Approve with conditions

1. Time Period

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the following plans:

- a. Site Location plan drawing 2113/01 dated 15th April 2021
- b. Existing site location plan drawing 1213/02 dated 29th April 2021
- c. Proposed floor plans and elevation drawing 1213/04 REV B dated 23rd July 2021
- d. Proposed site plan drawing 1213/03 REV B dated 23rd July 2021

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Materials- Samples

Prior to the construction of the external elevations of the dwelling and the driveways, hereby approved, samples of the external finishing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

4. PD Rights Removed Extensions/Alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), the building hereby approved shall be extended or

materially altered in external appearance in any way, including any additions or alterations to the roof, without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based, to protect the visual amenity of the area and in the interests of resident's amenity having regard for policies CS4, CS5, DC1 and section 12 of the NPPF.

5. Car and Cycle parking

No part of the development hereby approved shall be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

Reason for approval

This application is satisfactory in that the design of the proposed dwelling accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraphs 186-187 of the NPPF. In addition, the bungalow accords with the local policy requirements (Policies CS5 & DC1 of the Council's Local Development Framework).

In particular the dwelling is designed so that its appearance is complementary to the existing properties and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The dwelling will not prejudice the appearance of the area and does not significantly affect any landscaping and there are considered to be no highway safety issues.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the development should be refused.

INFORMATIVES

Discharge of Condition Fee

Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>. Please be aware that where there is more than one condition multiple fees will be required if you apply to discharge them separately.

Rights of Access/Encroachment

This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.

Statutory Undertakers

The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/ diversion work that may be required. The applicant is advised to contact all the utilities prior to works commencing.

Contact Northern Gas

The applicant must contact Northern Gas Networks directly to discuss requirements in detail. 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. We are advised that should diversionary works be required these will be fully chargeable.

Method of Works Statement

A detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works should be submitted to the LPA for information purposes. Such a statement shall include at least the following information;

- a) a programme of works
- b) the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- b) where contractors will park
- c) where materials will be stored within the site
- d) measures employed to ensure no mud/detritus is dragged out over the adjacent highway
- e) a jointly undertaken dilapidation survey of the adjacent highway.

Dropped Kerb – S184

The permission hereby granted should not be construed as authority to work within the public highway. Highways consent is required for the creation/alteration of a dropped vehicle crossing under Section 184 of the 1980 Highways Act. Such works will need to be carried out at the applicant's expense by Middlesbrough Council approved contractors. The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156)

Deliveries to Site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public.

Cleaning of Highway

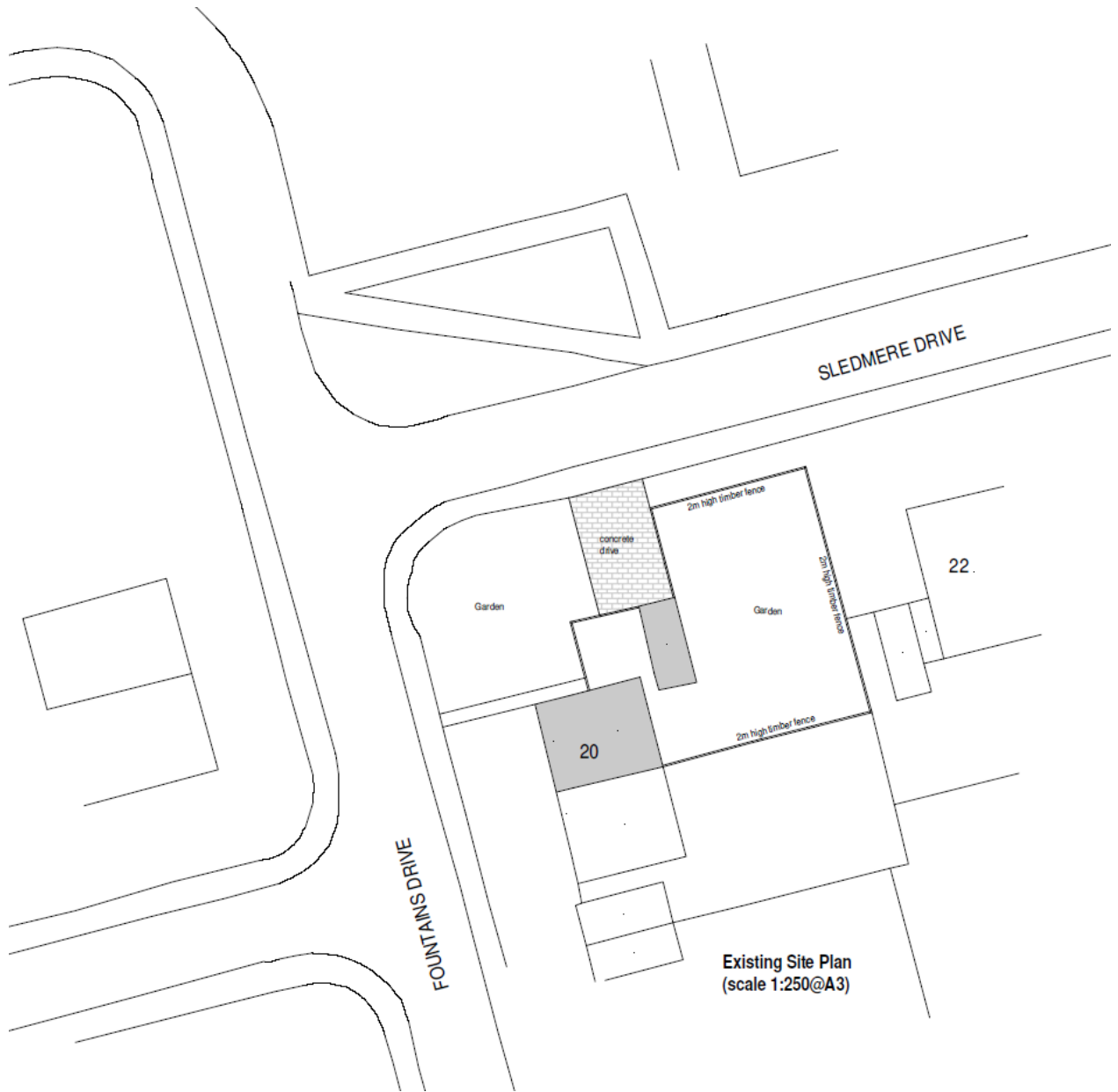
The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the

highway and, if it is, it shall be cleared by that person. In the case of mud being deposited on the highway wheel washing facilities should be installed at the exit of the development.

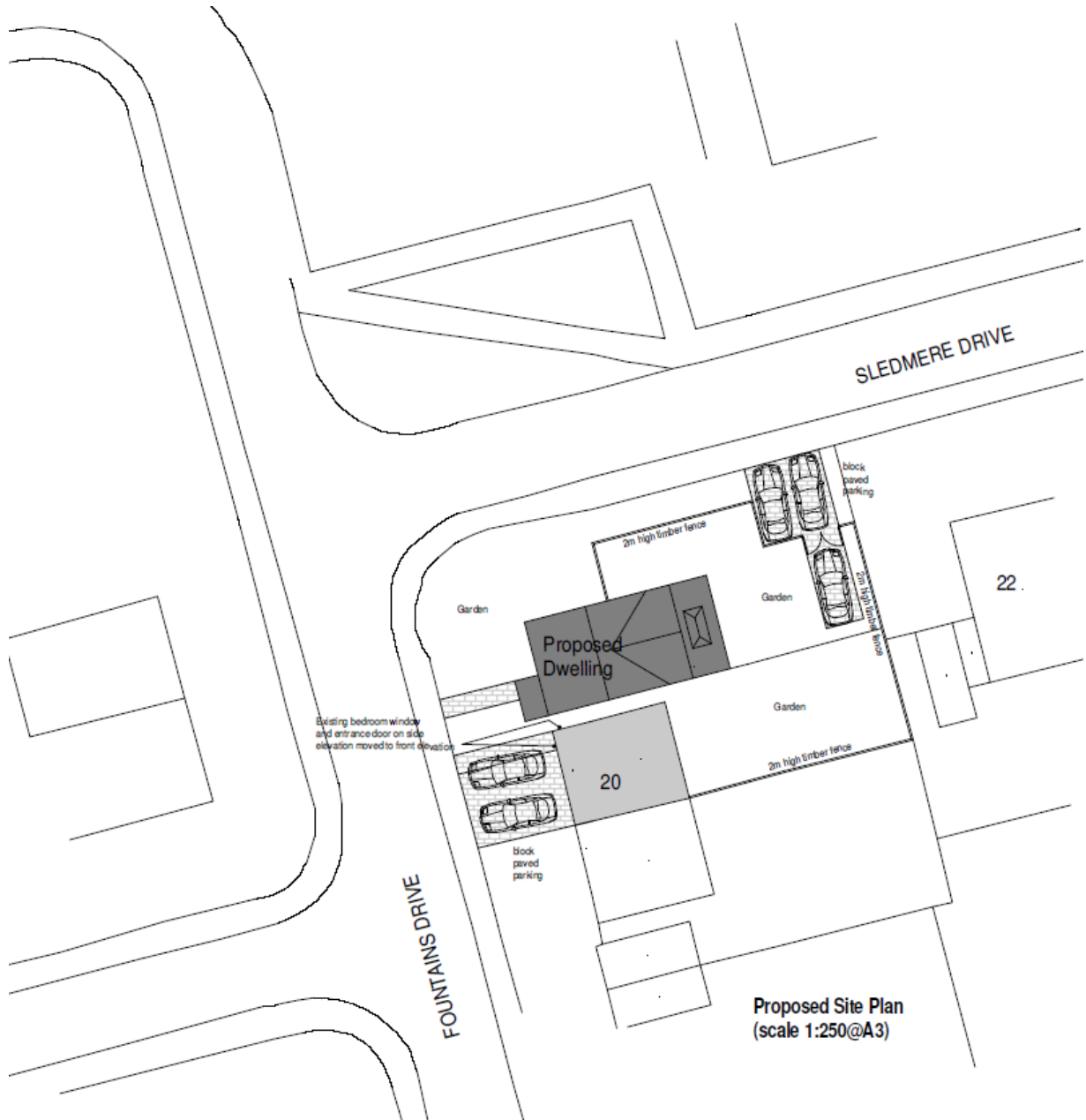
Case Officer: Debbie Moody

Committee Date: 10th September 2021

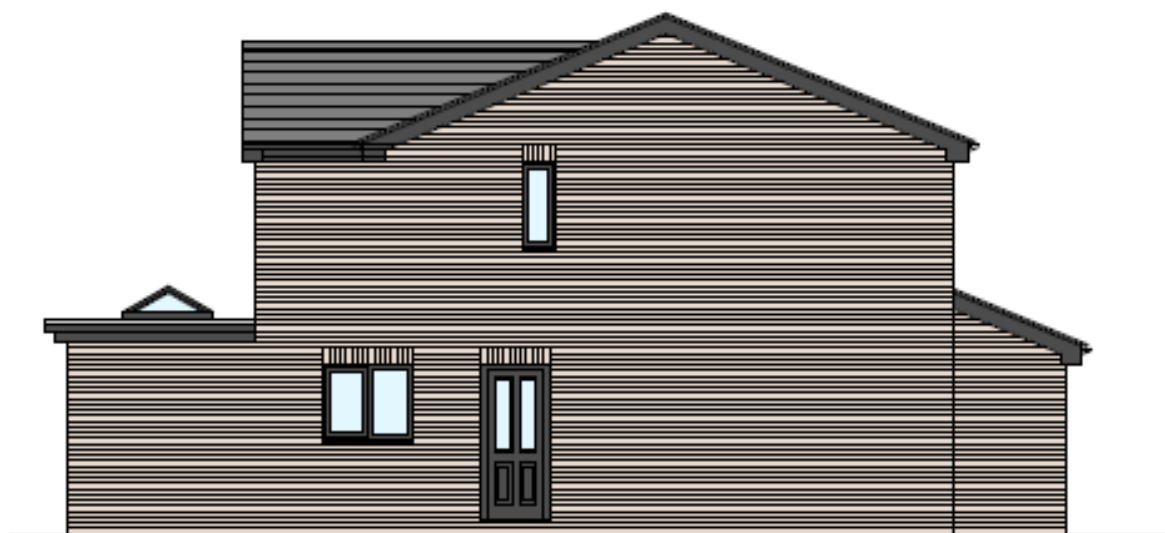
Appendix 1. Site location plan



Appendix 2: Proposed Site Layout



Appendix 3. Proposed Elevations

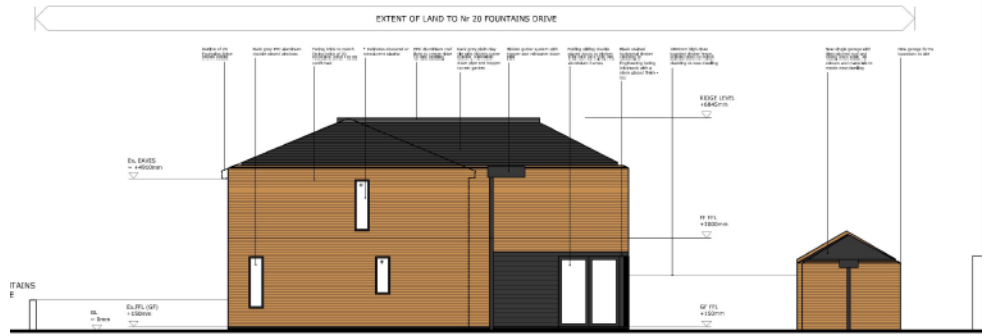


**Proposed N.W. Elevation
(scale 1:100@A3)**

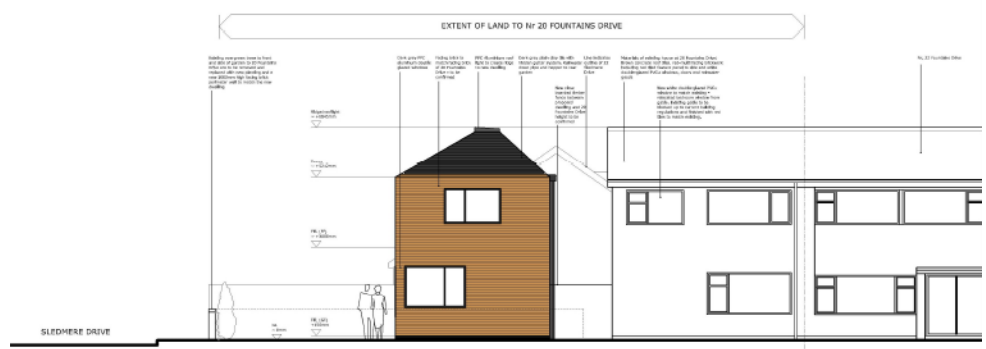


Proposed S.E. Elevation
(scale 1:100@A3)

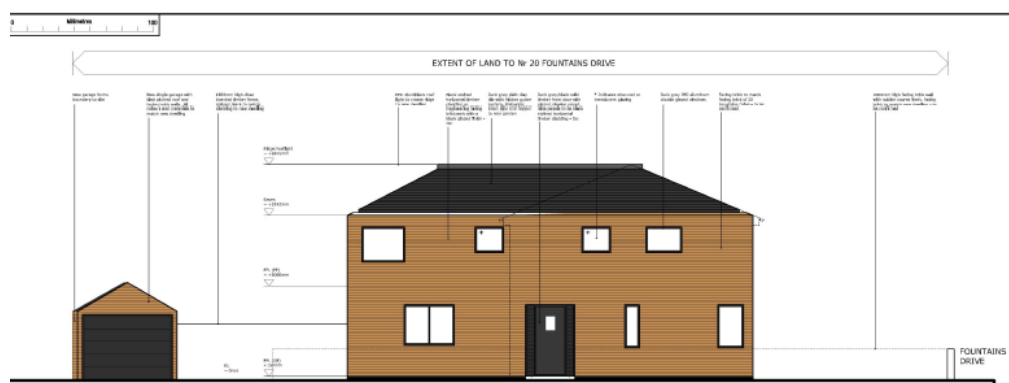
Appendix 4
 Details approved in 2012 Application.



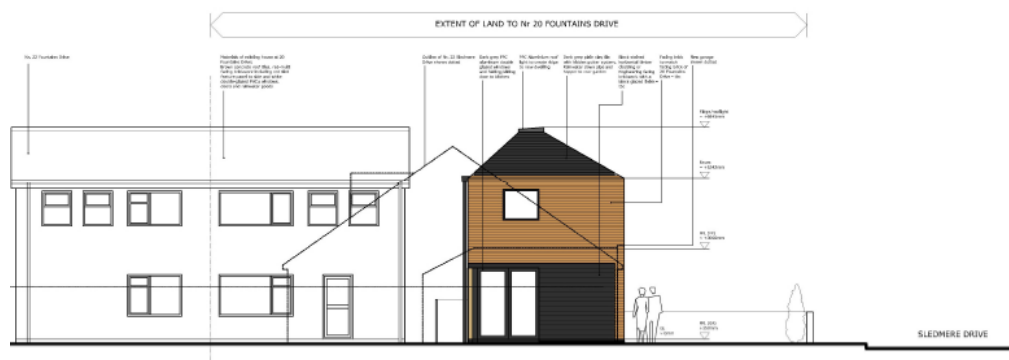
SOUTH ELEVATION



WEST ELEVATION

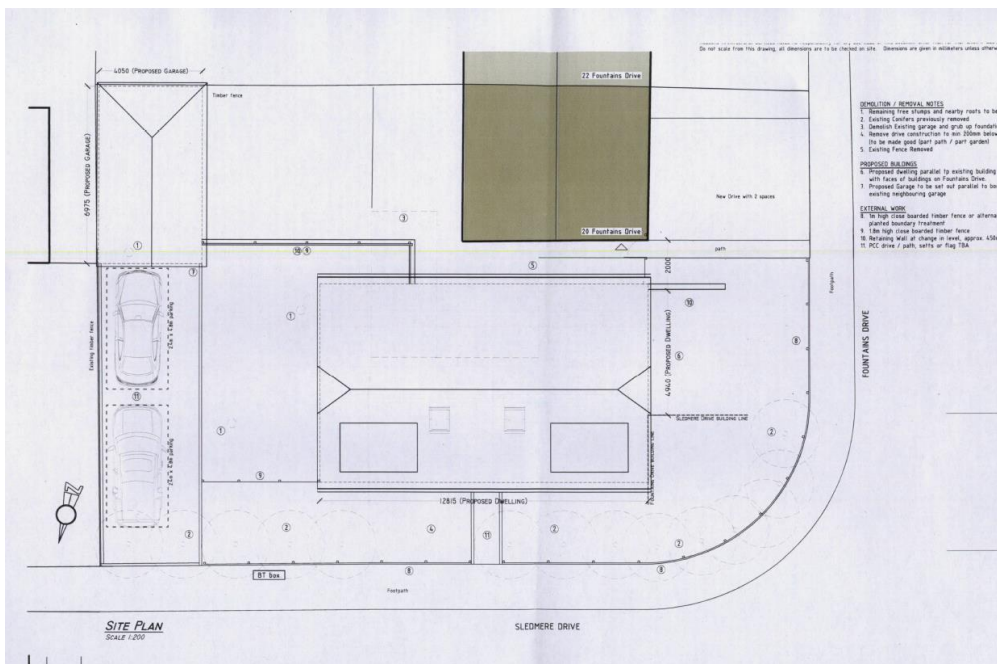
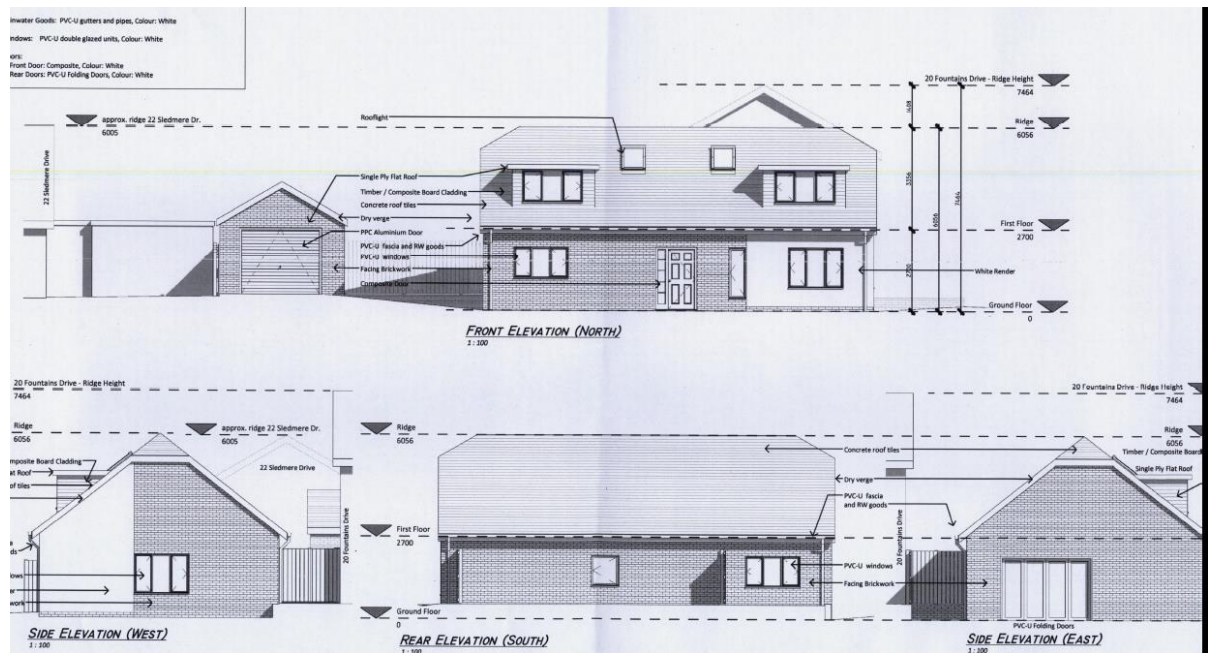
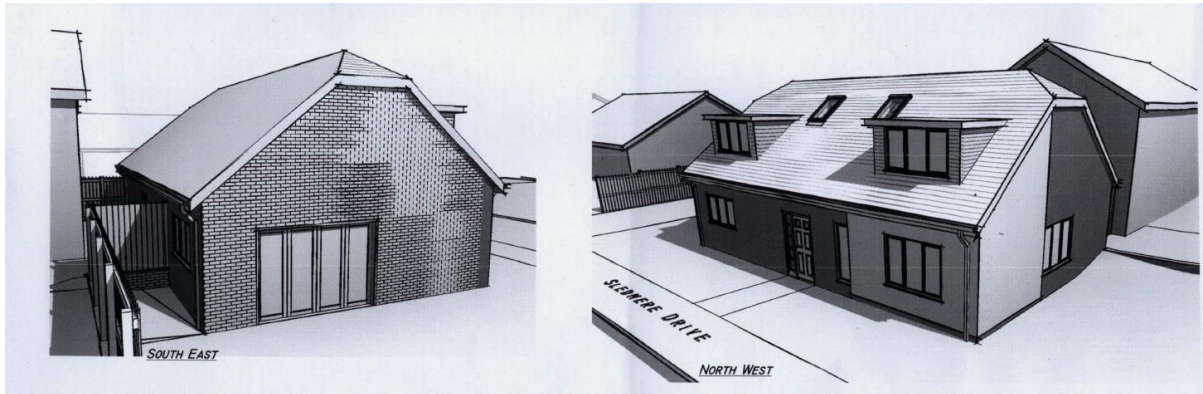


NORTH ELEVATION



EAST ELEVATION

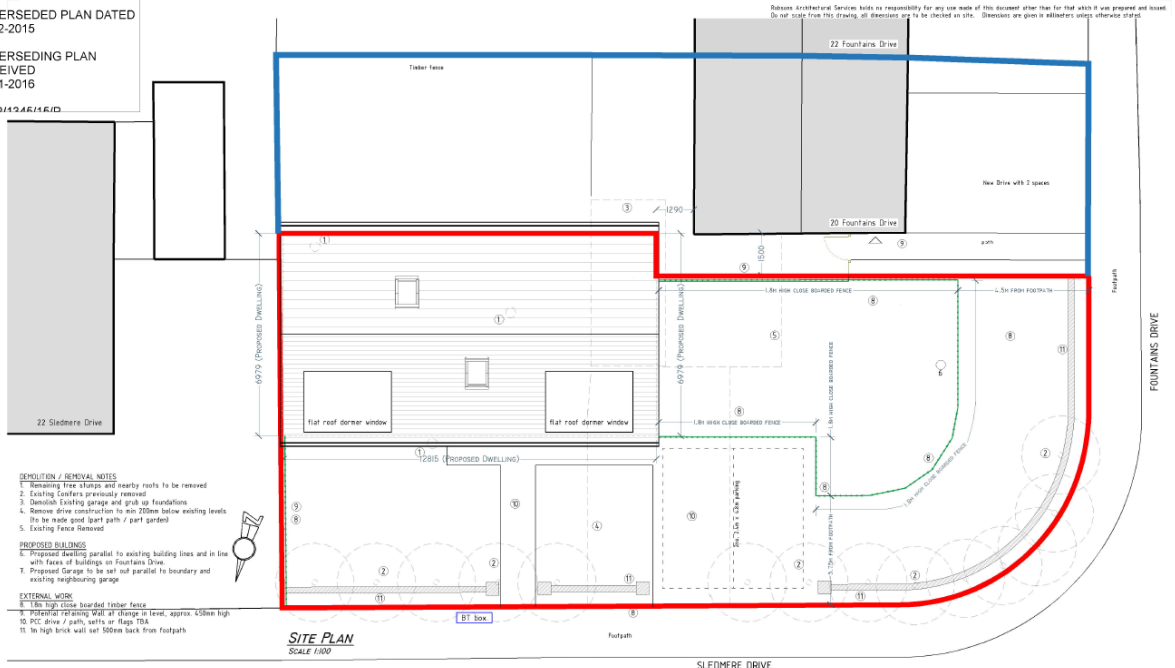
Appendix 5
Scheme refused under 2015 application



SUPERSEDED PLAN DATED
13-12-2015

SUPERSEDING PLAN
RECEIVED
13-01-2016

UNAPPROVED



- DEMOLITION / REMOVAL NOTES**
1. Remaining tree stumps and nearby roots to be removed
 2. Existing Cellars previously removed
 3. Demolish existing garage and grub up foundations
 4. Remove drive construction to min 200mm below existing levels (to be made good level path / part garden)
 5. Existing Fence Removed
- PROPOSED BUILDINGS**
6. Proposed dwelling parallel to existing building lines and in line with face of buildings on Fountains Drive
 7. Proposed Garage to be set out parallel to boundary and existing neighbouring garage
- EXTERNAL WORK**
8. 1.8m high close boarded timber fence
 9. Potential retaining wall at change in level, approx. 450mm high
 10. PVC door / path, setts or flags T&A
 11. 1m high brick wall set 500mm back from footpath

SITE PLAN
SCALE 1:500

- PS 13-01-16 Proposed fence moved a further 15m from Fountains Dr & 175m from Sledmere
- PK 15-11-15 Paths to front door relocated to avoid BT box & boundary fence moved in from the boundary with a low height brick wall set back from footpath
- PP 18-10-15 Planning Application
- PQ 16-07-15 Building size reduced and relocated
- PI 17-07-15 Dimensions identified, drawings relocated to show 22 Sledmere Dr.
- PN 16-07-15 Dimension Annotation

SLEDMERE DRIVE