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TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995  
**APPROVAL SUBJECT TO CONDITIONS**

Application Number: 08/0467/FUL

**Applicant :**

Mr Derek Millican  
BMW Dealership  
Boldon Business Park  
West Boldon  
Sunderland  
Tyne & Wear  
NE36 0BQ

**Agent :**

Taylor Design Partnership  
Ms Lorna Griffiths  
30 Manchester Road  
Wilmslow  
Cheshire  
SK9 1BG

This Council of Stockton on Tees as the Local Planning Authority **HEREBY PERMIT** the development proposed by you in your application registered on 27 February 2008 namely

**Revised application fro remodelling of BMW Dealership and creation of additional parking on existing site. at Preston Hall BMW ,Concorde Way,Preston Farm Industrial Estate**

and shown on the accompanying plan(s) subject to the compliance with the Building Regulations and general statutory provisions in force in the district and subject to the conditions and reasons specified hereunder:

01 The development hereby permitted shall be begun before the expiration of THREE years from the date of this permission.

**Reason**

By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

**Change to planning procedure relating to Amendments to Approved Plans**

When Planning permission is granted, it is subject to the work being carried out in accordance with the approved plans, which may be as originally submitted or amended before approval is granted.

As a result of a recent High Court decision (Sage v Secretary of State) the legal position has dramatically changed and the effect of any changes from the approved plan now requires a new planning application to be submitted for the change to be considered. There is no longer any provision for minor amendments to be given consideration.

This also means that if the work is carried out other than in complete accordance with the approved plans, the whole development will be unauthorised, as it will not have the benefit of the original planning permission.

Dated: 9 June 2009

Head of Planning

**This decision relates to planning consent only. Any other statutory decision e.g. Building Regulation and Improvement Grant must be obtained from the appropriate authority**



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- 02 The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

Plan Reference Number	Date on Plan
L303/1	30 March 2009
L202	30 March 2009
L203/2	30 March 2009
L102/4	3 April 2009

Reason: To define the consent.

03. **TREE BELT MANAGEMENT SCHEME & SITE LANDSCAPE PLAN**  
There shall be no construction of the new car parking area hereby approved which intrudes into the existing tree belt to the southern boundary of the site until a management scheme for the tree belt and a soft landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to detailing the construction methods of the car parking areas and boundary treatments, initial tree and scrub removal works, new planting works, implementation timetable and a future maintenance plan which details maintenance in perpetuity. Development shall be carried out in accordance with the approved details.

Reason: In order to ensure the integrity of the structural landscape buffer is maintained between the Preston Farm Industrial Estate and the adjoining Green Wedge and in order to provide a high quality appearance to the site in accordance with the requirements of Saved Policy GP1 of the Stockton on Tees Local Plan.

04. **LANDSCAPE IMPLEMENTATION AND MAINTENANCE**  
The management and maintenance of the Tree Belt forming the southern boundary and soft landscaping within the site shall be carried out by the site owner or any successor in title in perpetuity in accordance with the Tree Belt Management and Site Landscaping scheme approved under condition No. 3 of this approval, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the integrity of the structural landscape buffer and soft landscaping throughout the site is adequately maintained, in accordance with the requirements of Saved Policy GP1 of the Stockton on Tees Local Plan.

05. **TRAFFIC REGULATION ORDER**  
Unless otherwise agreed in writing with the Local Planning Authority, notwithstanding details hereby approved, the development hereby approved shall not be brought into use until a Traffic Regulation Order restricting waiting and loading within Avro Close and along Concorde Way has been brought into force to the satisfaction of the Local Planning Authority.

Reason: In order to prevent on street parking in Avro Close as a result of intensification of the sites use in accordance with the requirements of Saved Policy GP1 of the Stockton on Tees Local Plan.



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**06. MEANS OF ENCLOSURE**

Notwithstanding details hereby approved, there shall be no means of enclosure erected at the site unless in accordance with a scheme of such to be first submitted to and approved in writing by the Local Planning Authority. Any scheme submitted shall detail materials, height, location and long term maintenance. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

Reason: In order to adequately control the external appearance of the site and its impacts on the surrounding environment in view of the sites prominence and to comply with saved Policy GP1 of the Stockton on Tees Local Plan.

**07. PARKING RETENTION**

Parking provision for all vehicles shall be retained on site in perpetuity in accordance with parking layout details illustrated on plan ref: L102/4 as approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to maintain adequate parking provision for the use in accordance with saved Policy GP1 of the Stockton on Tees Local Plan.

**08. VEHICLE DELIVERY MANAGEMENT PLAN**

Prior to the redeveloped site being brought into use a Vehicle Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the way in which vehicles are delivered to site. The site shall be operated in perpetuity in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to adequately control impacts relating to Highway Safety in accordance with saved Policy GP1 of the Stockton on Tees Local Plan.

**09. EXTERNAL LIGHTING**

There shall be no new external lighting at the site other than that which is in accordance with a scheme of lighting to be first submitted to and approved in writing with the Local Planning Authority.

Reason: To limit the impact of the development site on the adjacent green wedge, in accordance with saved Policy GP1 of the Stockton on Tees Local Plan.



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## INFORMATIVES

### General Policy Conformity

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the proposal is appropriate in terms of its use, scale and appearance for its location, should not unduly affect adjacent uses or highway safety and adequately provides for the demands of the use. There are no material planning considerations, which indicate that a decision should be otherwise, therefore the application is recommended for approval.

### Stockton on Tees Local Plan: Policies GP1 General Principles and EN14 Green Wedge. Soft Landscaping Scheme

The soft landscaping details to be submitted for approval in respect to condition no. 3 of this approval shall include 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 including construction techniques for pits in hard surfacing and root barriers and all existing or proposed utility services that may influence proposed tree planting.