

## Planning Committee

A meeting of the Planning Committee was held on Wednesday, 11<sup>th</sup> January 2006.

**Present:** (Site Visits) Councillor Cains (Chairman); Councillors Brown, Cherrett, Leonard, Lupton (vice Councillor Perry), Mrs Rigg and Rix.

**Officers:** B Jackson, Mrs J Salisbury and Mrs M Whaler (DNS).

**Apologies for absence** were submitted on behalf of Councillors Mrs Beaumont, Coombs, Faulks, Kirton, Patterson, Perry, Smith, Stoker, Walmsley and Womphrey.

**Present:** (Meeting) Councillor Cains (Chairman); Councillors Mrs Beaumont, Brown, Cherrett, Coombs, Faulks, Gibson (vice Councillor Kirton), Leonard, Lupton (vice Councillor Perry), Mrs Rigg, Rix, Smith, Stoker, Walmsley and Womphrey.

**Officers:** Miss J Butcher and Mrs T Harrison (LD); N Cole, F Farooqui, B Jackson, Mrs C Llewellyn, D Lynch, R McGuckin, Miss J O'Donnell, Miss H Smith, Mrs C Straughan and P Whaley (DNS).

**Apologies for absence** were submitted on behalf of Councillors Kirton, Patterson and Perry.

### 952 Declarations of Interest

Councillors Cherrett and Rix declared a personal/non prejudicial interest in relation to Agenda Item No. 10 – Reserved Matters application for the erection of a 108 No dwellings together associated landscaping and means of access, Land at Darlington Lane, Stockton (Planning Application 05/3079/REM) due to being members of the Ramblers Association.

Councillor Stoker declared a personal/non prejudicial interest in relation to Agenda Item No. 16 – Application to vary Condition No. 11 of planning approval 01/1947/P to allow boundary enclosure to the front of properties, former Kirklevington Country Club, Kirklevington (Planning Application 04/3426/ARC) due to knowing two of the objectors.

### 953 Outline application for 2 No dwellings and associated means of access, 54 Bassleton Lane, Thornaby, Stockton-on-Tees (Planning Application 05/1577/OUT)

Members were advised that the application had been deferred for further negotiation at Planning Committee on 3<sup>rd</sup> August 2005 and at the Committee meeting of 16<sup>th</sup> November 2005 Members had requested that amended plans be submitted, showing the driveway on the southern side of the property; neighbours would then be consulted and subject to objections being received the application would be delegated to the Head of Planning to determine.

An updated report was issued to Members providing the amended plans received from the applicant.

A substantial number of objections had been received in relation to the application, the objections primarily related to the loss of privacy to neighbours of the site, the increase in traffic accessing the site and the increase in traffic using the Green.

Following the Committee meeting of 16<sup>th</sup> November an objection letter had been received from Mrs Storr of No 56 Bassleton Lane, immediately to the south of the application site, objecting to the proposed repositioning of the driveway to the southern side of the site.

Copies of the plans had been sent to the immediate neighbours of the application site, a single further objection/comment had been received from the neighbours at No. 52 Bassleton Lane.

The applicant addressed the Committee and advised that they had complied with all planning requests.

An objector addressed the Committee and advised that the ground plan of a 3/4 bedroomed bungalow would be at least twice the size of that shown on the plan. The position of their garage was still shown incorrectly and they would lose their right to light. The objector advised that at the site visit the applicants had advised that they wished to build the two bungalows at the west end of the site, which the objector supported.

The objector advised that they were pleased to see that the amended plans showed the drive in its original place.

A second objector addressed the Committee and advised that they were not objecting to the single storey bungalows however they objected to the road being so close to their property as it would be 3' 1" away from their bedroom window because due to the nature of their business they had late nights therefore the use of the proposed road would disturb them.

The Ward Councillor addressed the Committee and advised that she had been aware of the application for some time and no longer had any objections to the road following its repositioning on the plan and was happy with two bungalows being built on the site, however, she was concerned that the bungalows would be dormer bungalows and also felt that the bungalows should be moved further down.

It was noted that a fence would be erected thus acting as a noise damper however it was felt that this would not help.

Clarification was provided that the Committee were deciding on two single storey dwellinghouses.

RESOLVED that Planning Application 05/1577/OUT be approved with the amended plans (JB4) subject to the following conditions:

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

Drawing Number(s): JB4

2. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.
3. Approval of the details of the siting, design and external appearance of the building(s), and landscaping of the site, shall be in accordance with the details of a scheme to be submitted to, and approved in writing by the Local Planning Authority, before development commences.
4. Application for the approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
5. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.
6. Development shall not begin until drainage works have been carried out in accordance with details to be submitted and approved in writing to the Local Planning Authority.
7. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.
8. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.
9. No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been

approved by, and implemented to the reasonable satisfaction of the Local Planning Authority.

10. Notwithstanding any description or plans the hereby approved development shall be a single storey bungalow restricted in height to a maximum height of 6.5 metres.
11. No construction activity shall take place on the site outside the hours of 8.00am – 6.00pm Monday to Friday, 8.00am – 1.00pm Saturday and nor at any time on Sundays or Bank Holidays.
12. Details of the existing and proposed ground levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.
13. Details of the construction method of the driveway shall be submitted to and agreed in writing with the Local Planning Authority before development commences.
14. Details of the method of demolition of the existing structures on site shall be submitted to and approved in writing by the Local Planning Authority before development commences.
15. Notwithstanding details on the submitted plans, details of the location of the car parking spaces shall be submitted to and approved in writing by the Local Planning Authority before development commences.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any revoking or re-enacting that Order), no dormer windows shall be constructed.

**954 Two storey extension to extend four No flats, 13-15 Station Road, Eaglescliffe, Stockton-on-Tees (Planning Application 05/0178/FUL)**

A site visit took place prior to the meeting.

Members were advised that the application had been submitted to the Planning Authority for consideration in March 2005. Due to an administration error, neighbours were not formally consulted on the application (although a site notice had been erected on Station Road) and formal consultations with the Head of Engineering and Transportation, Environmental Health, Northumbrian Water and Ward Councillors took place with no objections received.

In addition to the lapse in consultation the decision notice for the application was issued without the necessary senior officer authorisation being obtained in May 2005.

Consequently the issued decision notice was considered to be invalid and challengeable as neighbours were not given adequate provision to comment on the application and the application was not determined in accordance with the Council's scheme of delegation. Neighbours had since been consulted on the application and a notice had been placed in the local press inviting comments on the application.

Due to the previous administration errors the application was being referred to Members in order for the application to be determined afresh in light of any new representations received to ensure that the local planning authority provided fair representation to all parties concerned.

Members were advised that the applicant had been made aware of the situation and was advised to stop building work to enable the situation to be rectified, however development had continued on site. The applicant had an outstanding approval at the site for an extension to form four flats, which could be implemented in line with the approval.

Members were advised that there had been concerns raised from neighbours in relation to scaffolding erected to the rear of the development over the alleyway, the Head of Engineering and Transportation was aware of the situation and the applicant was being contacted as a licence was required and had not yet been obtained for the scaffolding.

The application sought planning permission for a two-storey extension measuring 3m by 13.3m at the property 13-15 Station Road. The proposed extension was a small addition to the rear of a two-storey extension to the rear of 15 Station Road granted permission by Members in September 2004, which was for the creation of four flats.

There had been 12 neighbour objections received as a result of the advertisement of the application. Much of the concerns related to the material consideration of the previous approval for the flatted development. The main issues raised related to parking issues, character of the conservation area, impact on the street scene and impact on neighbours.

The Head of Engineering and Transportation had no objections to the proposals.

The proposed extension was a small addition to the previous approval for the flats and was not considered materially different from the previous approval, which had been considered acceptable by Members.

The report requested members to consider the application afresh in light of the representations received. Members were advised that only material planning considerations relating to the current application for the extension could form the basis of the determination.

An updated report was provided to members, which advised the application was now to be considered to be part retrospective as development had commenced on the site. The Local Planning Authority had received an additional two objections to the development which consisted of concerns relating to loss of light, overlooking, parking issues, health and safety in regards to the construction site and that the work continued after the Local Planning Authority had requested that work stop; concerns that a precedent would be set and that the windows to the front of the elevation appeared very large and out of keeping with the building.

The agent addressed the Committee and advised that planning permission had been given in September 2004 for 15 Station Road. In May 2005 the application notice was approved and as a result the applicant bought the land from the Dental Surgery, however the applicant was then informed by the Enforcement Officer that the decision notice was not valid.

The agent advised that only one room of the proposed extension could be viewed from the Dental Surgery and was not considered to be significant.

The agent advised that parking provision had been retained.

An objector addressed the Committee and advised that as a resident directly adjacent to the development they were concerned with the over development of the site. In addition the developer was aware in October that they did not have planning permission however they did not stop building and the development was well on its way to being completed.

The objector advised that light and access would be restricted and that it was a conservation area, however the developer had used UPVC windows.

Another objector addressed the Committee and advised that the residents had not had a chance to have their say and all residents from 11 Station Road onward would be affected, as there would be no direct sunlight.

A member of the public addressed the Committee and advised that as an appointed observer for EPAG he observed that the developer had replaced an old tatty coach house with something better, however Eaglescliffe was a conservation area and therefore advised that the finish of the development was critical to ensure that it was in keeping with the conservation area.

In response to a member of the public's query as to whether the conservation officer had been involved at the start, officers advised that the conservation officer had been involved throughout and had written the report.

It was acknowledged that the original development tidied up the area, however it was observed that No. 15 Swinburne would not have any light if a two-storey extension was built.

The alleyway was already very narrow and the development would bring the property three metres closer.

Members enquired as to whether there was any statutory rule regarding right to light and it was noted that the right to light was a civil matter, however, the Planning Officer's opinion was that while there had been an objection on the impact of the extension on the adjacent property, it was not sufficient to justify refusal of the application.

RESOLVED that Planning Application 05/0178/FUL be approved subject to the following conditions:-

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

Drawing Number(s): SBC001, 05 B, 04 D, 03 B, 06 B, 02 B, 01 B

2. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.

**955 Erection of detached dwelling with detached garage within rear garden land at 646 Yarm Road, Eaglescliffe, Stockton-on-Tees (Planning Application 05/2580/REV)**

A site visit took place prior to the meeting.

Members were advised that the application had been reported to the Planning Committee meeting of 7<sup>th</sup> December 2005, when Members deferred consideration in order to visit the site first before determining the application.

The application site was formed by what was currently the rear garden area of 646 Yarm Road, Eaglescliffe. The property was a large detached property and had a large expanse of garden area to the rear. The plot size measured approximately 39 metres by 23 metres and planning consent was sought to establish whether the principle of an additional dwelling would be acceptable on the land. The applicants request that the means of access was considered for approval with all the other matters reserved for a future submission.

Nine letters of objection had been received to the proposed development; concerns were raised on the loss of amenity and privacy, the setting of precedent, highway safety, the impact on the character and the loss of a green open space. The concerns had been addressed in the material planning consideration of the application.

On balance and given that the principle of the type of development had already been established in the locality it was considered that the proposed development was acceptable and could be accommodated within the site. The development was judged to be in accordance with Policies GP1, HO3 and HO11 of the adopted Stockton-on-Tees Local Plan and Planning Policy Guidance No. 3.

An objector addressed the Committee and advised that the proposed development had caused a large amount of anxiety and unhappiness to residents of the neighbouring properties as any two-storey building would have an impact on the neighbours on each side of the property as their properties would be totally overlooked, noise would increase and they would no longer be able to enjoy the peace of their gardens. The development was also not in keeping with the area and the objector was concerned that if it was approved it would set a precedent.

Another objector addressed the Committee and advised that when they had asked the developer why the size of the building was so large they had been told that it was

outline planning permission and therefore the objector requested that Council stipulated the restriction of height and size of the building with the current application.

The objector observed that the current plan showed the site of the new development to be much larger than the original house at the front of the site. The objector felt that the proposed development contravened HO11 and was concerned at the proposed plan for a triple garage.

It was noted that there were some houses close by which had additional dwellings built, which had affected the street scene.

Some members requested that the proposed development had a smaller footprint and be single storey with dormer windows to the rear only.

Concern was expressed that although the proposed development would be quite far back on the site it would still affect neighbouring residents of the older homes.

It was suggested that if the development was the first of its kind in the area that the application be refused, however Members were advised by Officers that there were similar developments within the area. On the suggestion that the application be refused due to concerns regarding loss of amenity, Officers advised that such refusals could only be made if there was demonstrable harm; which the application was not considered to be such.

RESOLVED that Planning Application 05/2580/REV be approved subject to the following conditions:-

1. Application for the approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following plan(s); unless otherwise agreed in writing with the Local Planning Authority.

Drawing Number(s): SBC001, SJR05:21 01 Rev. B

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.
4. Notwithstanding details submitted, approval of the details of the siting, design and external appearance of the building(s), and landscaping of the site, shall be in accordance with the details of a scheme to be submitted to and approved in writing by the Local Planning Authority, before development commences.
5. Notwithstanding any details shown on the plans hereby approved, all means of enclosure associated with the development hereby approved, and in particular that at the access to the site, shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.
6. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.
7. No construction activity shall take place on the site outside the hours of 8.00am – 6.00pm Monday to Friday, 8.00am – 1.00pm Saturday and nor at any time on Sundays or Bank Holidays.
8. During the construction phase of the development there shall be no burning of waste on the site.

9. Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the cartilage without the written approval of the Local Planning Authority.
10. Prior to the dwelling hereby approved being occupied, the southern section of wall forming the properties frontage onto Yarm Road shall be removed and replaced with a new boundary treatment to be located in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
11. Notwithstanding the details hereby submitted, adequate vehicle turning space for both 646 Yarm Road and the dwelling hereby approved shall be created, made available at all times and retained for the duration of the dwelling hereby approved being in existence, to allow private motor vehicles to both enter and exit the site in a forward gear.
12. Prior to commencement of the development hereby approved a scheme for noise attenuation of rooms within the building from noise generated by the railway to the rear of the property shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
13. Notwithstanding the details submitted, the dwelling hereby approved shall be limited to provide only one storey of habitable accommodation.

**956 Revised Outline Application for the erection of 1 No detached dormer bungalow, 8 Marquis Grove, Norton, Stockton-on-Tees (Planning Application 05/2459/OUT)**

A site visit took place prior to the meeting.

Members were advised that the application site was located to the south of No. 8 Marquis Grove, a further residential dwelling to the east of the existing property was in the final stages of construction while the residential apartments of Corby Lodge were situated to the south. Further residential properties were located along Marquis Grove, which lay to the west of the application site.

The land within the ownership of No. 8 Marquis Grove had a varied history; previous planning applications for dwellings on the site in 1982, 2001, 2004 and 2005 were refused. Having overcome previous reasons for refusal planning consent was granted for the erection of one detached dwelling in early 2005. An outline planning application was received in April 2005 for a dormer bungalow which was refused due to the small plot size and overlooking aspect from the neighbouring Corby Lodge Development.

The current application differed in that the applicant had incorporated an area of amenity space from the adjacent dwelling into the site and moved the proposed dwelling towards Marquis Grove to the south.

The application had previously been determined under the Council's delegated powers process, however, it was later brought to light that due to an administration error the neighbouring properties were not consulted during the application. Legal opinions had been obtained and it was considered that consent was still valid and that Members would have to revoke the consent if they disagreed with the decision made.

Three letters of objection had been received from the neighbouring properties raising concern over the impacts of the tranquillity of the area, access and parking issues, however the concerns had been addressed in the material planning consideration of the report.

The agent addressed the Committee and advised that the applicant had been perturbed when they discovered there had been a possibility that the consent had not been considered valid.

The applicant had tried to address all reasons for the previous refusal and considered the bungalow to be modest and suitable.

RESOLVED that the decision to grant planning permission for application 05/2459/FUL be confirmed.

**957 Erection of Apartment Block for 18 No. 2 Bedroom Apartments – Land at Thornaby Place (Planning Application 05/1911/FUL)**

Members were advised that the application site was situated on the corner of Thornaby Place and Mandale Road. The Victoria Bridge lay adjacent to the site with the River Tees to the west. Recent residential and office buildings could be found in close proximity to the north and south of the site, while existing commercial premises were located to the east and included Auto Electrics and Hadrian Caravans.

The proposed development had been amended from 27 No. residential apartments down to 18 No. apartments and 24 No. parking spaces. The design of the building was modern and reflected the character of the nearby modern office and residential development.

Seven letters of objection had been received from the neighbouring premises, concerns were primarily focused upon the potential impact of the development on highway safety, although issues relating to the stability of the site for residential development had also been raised but were addressed in the material planning consideration of the report.

The applicant addressed the Committee and advised that the site was the last parcel of land on the area not developed. The development would tidy up the derelict site.

Traffic surveys had been undertaken and showed that business and residential would work well together.

An objector addressed the Committee and advised that they acted as spokesperson for Auto Electrics and had three concerns, the first being car parking and traffic. There was already a problem with car parking and traffic and if the development took place it would only worsen. Customers for Auto Electrics currently parked their vehicles on the proposed site.

The objector advised that the applicant had also obtained planning permission for the Chubb building with no parking provision and therefore car parking would spill onto Thornaby Road.

The objector's second point was the incompatibility of commercial and residential due to the fact that Auto Electrics repaired HGV's, buses and commercial vehicles which emitted significant amounts of noise and emissions. Auto Electrics also undertook siren and alarm testing which would also not be suitable for a residential area.

The third point was the riverside walk – the objector advised that the developer only owned a small part of the land indicated as a riverside walk, therefore the developer's indication that they would maintain the riverside walk was not viable as they would not have a significant amount of land to do so.

Another objector addressed the Committee and advised that Tees Motor Boat Club used the area and required sufficient space to manoeuvre their trailers. The Motor Boat Club had built a slipway in the vicinity and the objector had concerns that the development would affect or damage the slipway.

The Traffic Manager addressed the Committee and advised that most of the buildings were commercial within the area so it was considered that there would be no conflict related to traffic if the development took place. He also advised that the developer had allocated sufficient off street parking for the development and that the traffic lights would not be affected and could cope with the additional traffic.

A Ward Councillor addressed the Committee and advised that they had no objection to the tidying up of the site however they had reservations about the development being residential.



The Ward Councillor made reference to the walkway and advised that it did not exist due to the fact that when the offices near to the proposed site had been built they were built over the walkway.

The Ward Councillor queried the need for more flats in Thornaby as flats had been built at Teesdale North yet they were derelict. It was observed that South Stockton Linkroad (SSL) had not reduced traffic and it was therefore the opinion of the Ward Councillor that a site visit should be undertaken.

A member advised that they had been assured that a walkway would be provided and queried whether the possibility of structural damage had been looked into with regard to the slipway. Advice was given that the issue of structural damage would be a matter for Building Regulations and the developer.

A member queried who would run and maintain the high quality flats in the area and agreed with the Ward Councillor that such flats were not needed or appropriate in the area.

RESOLVED that Planning Application 05/1911/FUL be deferred for a site visit and the British Waterways Board be requested to confirm no issues affecting the slipway.

**958 Residential development comprising erection of 114 dwellings and associated car parking, means of access and landscaping (demolition of existing dwellings), Land at Alliance Street, Hind Street, Spring Street and Templar Street (Planning Application 05/3240/FUL)**

Planning permission was sought for residential development comprising the erection of 114 dwellings and associated car parking, means of access and landscaping including demolition of existing dwellings. The proposal was part of a major regeneration initiative for the Parkfield/Mill Lane area.

The Parkfield Phase One area comprised the area of Alliance Street, Wilfred Street, Hind Street, Templar Street and part of Spring Street. All of the streets identified comprised pre-1919 terraced housing totalling 187 properties including a Social Club.

A study commissioned by the Council in 2002 identified areas that were at risk or suffered from housing market failure and suggested a number of options for the future of those areas. The application area was highlighted as suffering from the most significant signs of low demand.

The study resulted in a recommendation that a comprehensive master planning exercise be undertaken for the wider area, designed to tackle the main issues in the area (identified as being housing related) and to identify areas for demolition and improvement.

Extensive public consultation was undertaken by the Council, the result of which were incorporated into the Neighbourhood Futures Assessment and were further developed in the Master Plan.

Earlier in the year, the Council commenced procurement of a private developer partner to take forward the development of the site. A detailed development brief was prepared for the Council to provide a basis for tendering. Dunelm Acorn Homes had been appointed, subject to agreeing the terms of the Development Agreement. The negotiation of the Development Agreement was nearing its final stages and their draft master plan was endorsed at the Council's Cabinet on 3<sup>rd</sup> November 2005.

No objections had been received in relation to the proposed development.

It was clearly a flagship regeneration scheme and the wider area regeneration initiatives (Phase 2 and 3) were largely dependant on its implementation. The site itself had a number of constraints, which together with the need to ensure the financial viability of the scheme as well as meeting some of the requirements of the Development Brief, resulted in a proposal of high-density development to which normal design considerations could not be fully applied. Any assessment of design standards was to be weighed against the need to regenerate a disadvantaged area and it was considered that overall the proposed development was considered acceptable.

The Housing Officer who had been responsible for the tendering process addressed the Committee and advised this was the first scheme for housing market renewal within the area for which there was a high level of commitment and for which she was very pleased to see undertaken and therefore spoke in full support of the application.

The developer addressed the Committee and advised that they were pleased to be involved with the flagship development and were committed to meeting the design brief and would deliver a high quality scheme.

The Ward Councillor advised that they approved of the development and wished to commend and thank the officers for the work they had done and how they had dealt with the situation. The area had been in decline over the years and this development coincided with Wellburn and Cranbourne Terrace developments and therefore recommended that the application be approved.

RESOLVED that Planning Application 05/3240/FUL be approved subject to the following conditions:-

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

Drawing Number(s): L-01,L-10,SK-001,SK-10,11,12,SK-101 to 115,SK-200 and SK-201

2. Details of all external finishing materials including roads and footpaths (Home Zone) shall be agreed with the Local Planning Authority before the development is commenced.
3. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.
4. Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the cartilage without the written approval of the Local Planning Authority.
5. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.
6. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording and analysis in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority.
7. Before the use commences, any living rooms or bedrooms with windows affected by railway noise levels in excess of 65 dB(A) (LAeq) (measured at a point 1 metre from the façade of any dwelling) between 07.00 and 22.00 hours or 60 dB(A) (LAeq) between 22.00 and 07.00 hours, the developer shall insulate the dwellings in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from rail traffic noise.
8. The Apartment buildings shall be provided with sound insulation, prior to being used, to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedroom in adjacent dwellings in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

9. No development approved by this permission shall be commenced until:
  - (a) A desk study report providing information on the previous land uses and an evaluation as to whether ground contamination (i.e. landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted and approved by the Local Planning Authority (LPA).
  - (b) If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated (as defined in Section 57 of the Environmental Protection Act 1990 with respect to the proposed use), a site investigation including a risk assessment report shall be submitted to and approved by the Local Planning Authority.
  - (c) Full details of the proposals for the removal, containment or treatment of any contamination (the 'reclamation statement') shall be submitted to and approved by the Local Planning Authority.
  - (d) If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the Local Planning Authority.
  - (e) On completion of the remediation scheme a validation report shall be submitted to and approved by the Local Planning Authority.
  - (f) All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.
10. No construction/building works shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 8.00am and 1.00pm on Saturdays. No Sunday working.
11. A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
12. Notwithstanding the submitted information 6 secure covered cycle parking spaces are required within the cartilage of the apartment buildings, details of which shall be agreed in writing with the Local Planning Authority before development commences.
13. The ten units of affordable housing to be agreed by the Local Planning Authority shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall indicate the timetable for construction and occupation and shall be provided as part of the overall development hereby approved.

**959 Application to vary Condition No. 11 of planning approval 01/1947/P to allow boundary enclosure to front of properties, Former Kirklevington Country Club, Kirklevington (Planning Application 04/3426/ARC)**

Planning permission was granted in November 2003 to redevelop the former Kirklevington Country Club for residential purposes in the form of 40 dwellings comprising a mix of apartments and cottages (Planning Application 01/1947/P).

The site was split in two with the northern part being the site of the former Country Club adjacent to the Crown Hotel (Phase 1) and the other being the overflow car park

to the south (Phase 2). The development was well advanced with a number of the dwellings occupied.

Condition 11 of the permission took away permitted development rights in respect of the means of enclosure adjacent to the public highway to make the development an "open plan" estate. Condition 15 required details of all means of enclosure to be agreed with the local planning authority. Condition 11 effectively meant that for much of the development in Phase 2, there could be no means of enclosure either to the rear or the front of the dwellings.

The current application sought to overcome this by varying the condition to allow boundary enclosure to the front of the dwelling. Details of the boundary treatment were also submitted in effect to discharge condition 15 of the original approval.

The submitted details of the proposed means of enclosure had been the subject of much discussion with the applicant particularly for Phase 2, because of concerns about the impact on the visibility splay at the Pump Lane junction and the visual impact on Thirsk Road. A large part of the proposed means of enclosure had been implemented albeit without formal consent including the erection of a 1.8 metre close-boarded fence on the Thirsk Road boundary to the northern car park where the hedgerow was missing. A number of residents had raised concerns about the fencing.

The need to dispense with Condition 11 of the original permission was recommended to enable the approved dwellings to have the necessary defensible space around them. The new means of enclosure were also recommended as acceptable and the relevant condition (No 15) of the original permission could be discharged.

The agent addressed the Committee and advised that an application had been submitted in October 2004, since then there had been many discussions. There had been conflicting demands from Officers, Ward Councillors and future occupants, however they now believed that they had a scheme, which was accepted.

Objectors present advised that there had never been a hedge at the proposed area and that the pond within the development was not being maintained therefore it emitted an unpleasant smell and contained dead rats. The objector also observed that the fence and the hedge would not be the property of the owners and raised concerns that the developer would not maintain the fence or the hedge. The objector advised that a wall and railing would be better and more in keeping with the area. The objector advised that the development would be the first thing people saw when coming into the area and did not consider this to be acceptable.

The Chair advised that although they had not undertaken a site visit members of the committee had passed it on the way to a site visit and therefore took the opportunity to observe it whilst being driven slowly past the site.

Members queried whether there was a maintenance agreement to ensure the maintenance of the pond, fence and hedge, however the need for security for residents was advisable. The part of the development which did not have a hedge but had a wall with a fence above, could be covered by some appropriate planting which was acceptable to the applicant.

The agent to the applicant advised that the pond was subject to a maintenance agreement, however the agent was not sure that it extended to the rest of the site. The agent advised that the client would have no objection to planting ivy or similar sort to cover the fence.

RESOLVED that Planning Application 04/3426/ARC be approved subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plans or as otherwise may be subsequently agreed in writing with the Local Planning Authority.

Drawing Numbers KCC/BE/01 (Sheet 1 of 2) Revision D and KCC/BE/01 (Sheet 2 of 2) Revision D.

2. The hedgerow planting scheme shown on the Plan No. KCC/BE/01 (Sheet 2 of 2) Revision D, shall be carried out in the first planting season following the grant of this permission and any plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
3. Notwithstanding the permission hereby granted, the erection of fencing or planting of hedgerow to the front of dwelling units 9-16 in Phase 1 of the development is not permitted and the area shall remain open plan as indicated on the approved plan No. KCC/BE/01 (Sheet 1 of 2) Revision D.
4. The details of the means of enclosure shown on the approved plans are agreed and that Condition 15 of permission 01/1947/P is hereby discharged.

(Councillor Stoker declared a personal/non prejudicial interest in relation to the above item due to knowing two of the objectors)

**960 Reserved matters application for residential development of 99 No dwellings and associated landscaping and access, Hillbrook, Ingleby Barwick (Planning Application 05/0999/REM)**

Members were advised that the application related to the area of Ingleby Barwick located off and east of Broomhill Avenue and immediately north of The Taylor Woodrow development (approved at the last meeting), and to the west of the existing residential development, 'Lowfields'. Members were reminded that the general principles of the Master Plan for the remaining housing development within Ingleby Barwick were approved at a special Planning Committee meeting held on 11<sup>th</sup> May 2002.

The density of the proposal was only nominally above the proposed density of that part of Ingleby Barwick (38d/ha), which was well within government guidelines for residential development of this nature. The development comprising semi and terraced three bedroomed two and a half storey town house and four bedroomed detached 2/2½ and 3 storey houses.

The application had been advertised and while a number of objections had been received from existing residents to the north and east, the concerns raised did not warrant refusal of the application.

The proposal was a 'reserved matter' submission considered to be in accordance with current Government guidance contained in PPG3 – Housing.

An updated report was provided to members which advised that since the original report had been prepared final comments had been received from the Head of Engineering and Transportation which advised that whilst the Officer had serious concerns regarding the existing traffic situation at Sandgate roundabout with regard to the north bound delays from the roundabout in the am peak particularly, creating queues that extended to the Ingleby Way roundabout (Tesco's); the officer accepted that the impact on the single development was unlikely to be material.

However, the additional traffic generated by further developments continued to be a cause for concern. Consequently, Engineers had commissioned an Ingleby Barwick traffic model, which was due to be completed and validated in late February/early March 2006. The traffic model would allow the impact of future applications to be fully assessed.

Given that the traffic modelling work was not complete, the officer did not object to the proposals.

However, there remained several unresolved issues relating to the highway layout that needed to be addressed. If the application was recommended for approval then the Officer requested that the agreement with any revisions be delegated to the Head of Planning.

A further comment had also been received from Ingleby Barwick Parish Council, which advised that the Parish Council welcomed the reduction of the number of dwellings from 114 down to 99.

Concerns had been raised with regard to the restricted access to the rear of a number of the town houses.

The public open space to be provided was shown to be on the corner of a junction adjacent to the carriageway providing the main access to the development, which raised concerns in respect of safety. Consideration was therefore requested to be given to relocating the amenity space to a much safer and more appropriate position.

A Ward Councillor advised that he shared the objector's views as he had lived on Ingleby Barwick for 19 years and did not wish for there to be more development within the area.

The Highways and Transportation Strategy Group Leader confirmed that the traffic model was underway and would be done in early March.

Member concerns regarding housing to the right of the development (the original dwellings), in relation to the height of the new development were noted.

RESOLVED that Planning Application 05/0999/REM be approved subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority.

Drawing Numbers:- Design Statement SBC01 and Traffic Impact Assessment SB002, P05:3487/01 Rev J, /02, /03, /04, /05, /06, /07, /08, /09, /10,/11, /12,/13,/14, & 17.

2. Notwithstanding the details submitted, a detailed scheme for landscaping and tree or shrub planting shall be submitted to and approved in writing by the local planning authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surface of all open space areas. The work shall be implemented in accordance with a phased programme to be agreed with the local planning authority before the development authorised by this permission is commenced and any trees or plants which within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the local planning authority gives written consent to any variation.
3. Notwithstanding the details submitted, soft landscape works shall include planting plans and written specifications (including cultivation and other operations associated with plant and grass establishments); schedules of plants, noting species, plant sizes and proposed numbers/densities.
4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.
5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
6. No development shall be commenced until a scheme for the disposal of drainage has been submitted to and approved in writing by the local planning authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme

shall be retained throughout the life of the development unless otherwise agreed in writing by the local planning authority.

7. New discharges of foul and surface water must be on separate systems. Surface water flows must be prevented from entering the public foul or combined sewer. Surface water flows should, where possible, be discharged to soakaways, streams or watercourses. Connection to the public surface water sewer should be made as an alternative.
8. Full details of new connections to the public sewerage system must be submitted to Northumbrian Water for approval. Northumbrian Water must carry out connections and any other work affecting public sewers.
9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.
10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme showing existing ground levels, finished ground levels, finished floor levels for dwelling houses and road levels. Thereafter the development shall be completed in accordance with the approved details.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no vehicular access shall be created other than those hereby approved, without the prior written consent of the Local Planning Authority.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) no integral garages shall be converted into part of the house without the prior written consent of the Local Planning Authority.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) all boundary means of enclosure shall be in accordance with the details hereby approved. Any future proposals to amend these details shall be made the subject of a formal planning application to the Local Planning Authority.
14. Development works on site shall not occur outside the hours of 8.00am – 6.00pm weekdays and 8.00am and 1.00pm on a Saturday and there shall be no works carried out on Sundays.
15. Notwithstanding the details submitted no development shall take place until there has been submitted to and approved in writing a detailed scheme showing: i) materials and construction including vertical and horizontal alignment of highway works, roads, footpaths and access ways, and ii) existing ground levels, finished floor levels for dwellings and road levels.

**961 Reserved matters application for the erection of 108 No dwellings together with associated landscaping and means of access – Land at Darlington Lane, Stockton-on-Tees (Planning Application 05/3079/REM)**

Members were advised that planning consent was granted on 6<sup>th</sup> October 2004 for residential development on Site 3 at Darlington Back Lane in Stockton. Sites 1 and 2 had already been developed, and the parcel of land in question was the final part. The application dealt with the reserved matters from that approval namely siting, design, external appearance of the building, means of access and landscaping.

There had been five neighbour objections from residents on the adjacent new estate on the grounds of increased traffic and resultant congestion, highway safety, loss of undeveloped land, impact on current infrastructure in the area and visual amenity and the loss of the emergency access. The objections related to the principle of the development, which had already been approved both in terms of the Local Plan

policy designation for residential development and the grant of outline planning permission. Notwithstanding the objections raised, the application was considered acceptable and it was not considered that an emergency access was required.

A Ward Councillor had submitted objections related to safety and security and requested lighting, however, the Ward Councillor advised members that she no longer had concerns as they had been addressed however she strongly recommended that emergency access be kept.

RESOLVED that Planning Application 05/3079/REM be approved subject to the following conditions:-

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

Drawing Number(s): SBC1 to 22, 12159/01/G,454/02,454/03 and 454/04.

2. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.
3. Notwithstanding the submitted plans all means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.
4. The landscaping details shown in the approved plans shall be carried out in the first planting and seeding season following occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent for any variation.
5. No development shall commence until a scheme for the protection from construction works of hedgerows and trees shown on the approved plans to remain is submitted to and agreed in writing by the Local Planning Authority.
6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
7. No construction/building works shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 8.00am and 1.00pm on Saturdays. No Sunday working.
8. No development approved by this permission shall be commenced until:-
  - (a) A desk study report providing information on the previous land uses and an evaluation as to whether ground contamination (i.e. landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted and approved by the Local Planning Authority (LPA).
  - (b) If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated (as defined in Section 57 of the Environmental Protection Act 1990 with respect to the proposed use), a site investigation including a risk assessment report shall be submitted to and approved by the Local Planning Authority.



- (c) Full details of the proposals for the removal, containment or treatment of any contamination (the 'reclamation statement') shall be submitted to and approved by the Local Planning Authority.
- (d) If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the Local Planning Authority.
- (e) On completion of the remediation scheme a validation report shall be submitted to and approved by the Local Planning Authority.
- (e) All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.

(Councillors Cherrett and Rix declared personal/non prejudicial interests in relation to the above item due to being members of the Ramblers Association)

**962 Installation of plant and equipment to capture and treat hydrocarbon vapours from ships during loading and construction of Vapour Recovery Unit – Conoco-Phillips Petroleum, Teesside Operations, Seal Sands, Middlesbrough (Planning Application 05/3106/FUL)**

Members were advised that Conoco-Phillips Petroleum Company operated the North Sea Petroleum Teesside terminal. The site received, via pipeline, crude oil from the North Sea. The oil was processed to remove the lighter natural gas liquids, which were exported as liquid products; stabilised crude oil was also exported as a product. Both products were exported via ship at the marine terminal. The proposal was to build a new plant to collect all the hydrocarbon vapour, which could otherwise be emitted from crude oil tankers during the loading operations. Collection was to be achieved by installing ship vapour collection arms at the four existing crude oil jetties. The collected vapour would then be piped to a new vapour recovery unit (VRU) located within the terminal. The aim was to collect a minimum of 85% of the hydrocarbons and recover them into the existing crude product stream. The scrubbed gases, largely inert would be vented via a new stack 25-30m high.

The applicant had stated that the primary driver of the project was environmental to help improve the company's health, safety and environmental performance. Detailed discussions had been held with both the Health and Safety Executive and the Environment Agency prior to the application having been made. No objections had been received.

An updated report was provided to members, which provided the views of the Environment Agency. After initial concerns regarding flooding which had now been resolved, it had no objections to the proposal subject to the imposition of the following planning condition "Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downward into the bund".

RESOLVED that Planning Application 05/3106/FUL be approved subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plans or as otherwise may be subsequently agreed in writing with the Local Planning Authority:

Drawing numbers: SBC001-3; OS-G-022 rev 5; 6570-0330-020-02-001 rev A, 6570-0330-020002/0002 rev A, 6570-0330-020-02/0004 rev A, 6570-0330-

0020-02/0005 rev A, 6570-0330-020-02/0006 rev A, 6570-0330-020-02/0007 rev A, 6570-0330-020-02/0008 rev A, 6570-0330-020-02/0009 rev A, 6570-0330-020-02/0010 rev A, 6570-0330-020-02/0011 rev A, 6570-0330-02/0012 rev A, 6570-0330-020-02/0013 rev A.

2. Details of all external finishing materials shall be agreed with the Local Planning Authority before the development is commenced.
3. Notwithstanding the submitted drawing, the final design including heights above sea level of all new plant and vents shall be agreed in writing with the Local Planning Authority before development commences.
4. No construction works shall be carried out in the bird nesting season of mid April to July (inclusive) unless otherwise agreed in writing with the Local Planning Authority and in that event prior to construction of the pipework installation on the jetties or initial ground works at the VRU, a competent ornithologist shall check the site and arrangements made to move any nesting birds to a safe habitat.
5. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

**963 Application for the erection of a single storey extension to the rear – 67 Junction Road, Norton (Planning Application 05/0005/FUL)**

Members were advised that the application had been reported to the Planning Committee as although it was determined under officer delegated powers, it had been found that the neighbour consultation had not taken place and adjacent occupiers were not given the opportunity to comment on the planning application. Members were therefore asked to consider, in the light of the re-consultation, whether the decision to grant planning permission was to still stand. Measures had been put in place to ensure neighbour consultation on all planning applications was carried out.

The adjacent residents were re-consulted and the period for commenting had expired, no comments had been received.

No new issues had been raised following consultation with adjacent occupiers and it was therefore considered that the original decision to grant planning permission would still stand.

RESOLVED that the original decision to grant planning permission for application 05/0005/FUL be confirmed.

**964 Change of Use from Dental Surgery D1 to C3 Residential Dwelling -19 Bypass Road, Billingham (Planning Application 05/2491/COU)**

Members were advised that the application had been reported to the Planning Committee as although it was determined under officer delegated powers, it had been found that the neighbour consultation had not taken place and adjacent occupiers were not given the opportunity to comment on the planning application. Members were therefore asked to consider, in the light of the re-consultation, whether the decision to grant planning permission would still stand. Measures had been put in place to ensure neighbour consultation on all planning applications was carried out.

The adjacent residents were re-consulted and the period for commenting had expired, no comments had been received.

No new issues had been raised following consultation with adjacent occupiers and it was considered that the original decision to grant planning permission should still stand.

RESOLVED that the original decision to grant planning permission for application 05/2491/COU be confirmed.

**965 Minor Extension to Waste Bunker and Tipping Floor (with no increase to plant capacity on consented third process stream) – Energy from Waste Plant, Haverton Hill Road, Billingham (Planning Application 05/3135/FUL)**

Members were advised that an extension to the rear of the existing Energy from Waste Plant at Billingham had been granted in 2000 to provide additional capacity (50%) to incinerate household waste and recover the energy (10 MW) for supply to the National Grid. Work on the site started had begun to implement the permission but the applicant now wished to make an amendment to the approved plan to provide for a minor extension to the waste reception bunker and tipping floor. The change involved a 10m lateral extension located to the rear of the plant. Various reasons were given for the need for the change, which were primarily for operational purposes in that that the existing consented size, though adequate in 2000, would in the light of experience, not allow for the facility to be operated at optimal efficiency.

The change was relatively minor and would allow for the more efficient operation of the plant. It would not increase the waste treatment capacity of the site or the quantities of waste received by the facility. The design matched the existing plant and previously consented extension and would not increase traffic in the area. Accordingly the scheme was considered satisfactory and would not give rise to any additional environmental concerns.

RESOLVED that Planning Application 05/3135/FUL be approved subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plans or as otherwise may be subsequently agreed in writing with the Local Planning Authority:

Drawing Numbers: C21/PL/02, 375-01/01, TE3/01, TE3/02 Option B, TE3/03, TE3/04, TE3/05, TE3/06.

2. Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.

**966 Stockton-on-Tees Borough Local Development Framework Annual Monitoring Report 2004/2005**

A report was provided which updated Members of the Annual Monitoring Report that was submitted to the Secretary of State in December 2005.

A working draft of the Annual Monitoring Report (AMR) was considered by Planning Committee in November 2005. It was accepted that there were significant information gaps resulting from late changes to the ODPM advice on the type of information required. It was therefore agreed to present the final AMR to the next Planning Committee. The updated AMR was submitted to the Secretary of State in December 2005. The Council had therefore met its statutory obligation and would secure some £52,000 in Planning Delivery Grant.

The Annual Monitoring Report covered the period from 1<sup>st</sup> April 2004 to 31<sup>st</sup> March 2005 and within this time frame assess:-

- The implementation of the Local Development Scheme (i.e. timetable for preparing the Local Development Framework)
- The extent to which policies in local development documents
- Create baseline data against which to monitor performance in the future

- Identify gaps in the knowledge base, to enable systems to be put in place to collect information required for future monitoring
- Look at the existing Local Plan policies to assess their effectiveness

***RECOMMENDED that members note the first Local Development Framework Annual Monitoring Report.***