

Planning Committee

A meeting of Planning Committee was held on Wednesday, 4th October, 2006.

Present: (Meeting) Cllr M Stoker (Chairman); Cllr D T Brown, Cllr D Cains, Cllr M Cherrett, Cllr K Faulks, Cllr M Frankland (Vice Cllr M Smith); Cllr R Gibson (Vice Cllr C Coombs); Cllr K Leonard, Cllr K Lupton (Vice Cllr Mrs J Beaumont); Cllr R Patterson, Cllr M Perry, Cllr Mrs M Rigg, Cllr R Rix, Cllr F G Salt, Cllr M E Womphrey.

(Site Visit) Cllr D Cains, Cllr M Cherrett, Cllr K Leonard, Cllr M Perry, Cllr Mrs M Rigg and Cllr F Salt.

Officers: (Meeting) A Glossop, Miss R Hindmarch, B Jackson, Miss C Llewellyn, S Milner, Miss D Moody, Miss H Smith, Ms C Straughan and P Whaley (DNS); Miss R Boyers, Miss J Butcher, Mrs T Harrison, Miss S Johnson and Mrs S Whaley (LD).

(Site Visit) A Glossop, B Jackson, S Milner and D Moody (DNS)

Also in attendance: Applicants, Agents and Members of the public.

Apologies: (Meeting) Cllr Mrs J Beaumont, Cllr C Coombs, Cllr P Kirton, Cllr M Smith and Cllr S Walmsley.

(Site Visit) Cllr Mrs Beaumont, Cllr D Brown, Cllr C Coombs, Cllr K Faulks, Cllr P Kirton, Cllr R Patterson, Cllr R Rix, Cllr M Smith, Cllr M Stoker, Cllr S Walmsley and Cllr M Womphrey

570 06/2100/REM
Portus Bar, Ingleby Barwick, Stockton on Tees
Reserved matters application for residential development comprising 35
no. dwelling houses

A reserved matters application had been submitted for the erection of 35no. residential dwellings on a site within Village 6 of Ingleby Barwick. The scheme proposed large detached dwellings, which included a total of eight different house types focussing around the central spine road, which ran through the site and connected with other areas of the wider Ingleby housing development.

Both outline planning approval and a subsequent reserved matters application had been approved on the site, the latter of which remained valid. The proposal related to a section of the earlier approved reserved matters application ref 03/0875/P for 208 dwellings. The principle of residential development of the site was therefore established.

A total of four letters of objection had been received from residents of adjoining properties to the site. Objections were based on the development of the site to such a high density, having insufficient space around dwellings and inadequate distancing between properties within the development and existing ones surrounding. It was perceived by residents that this would result in a loss of privacy and sunlight whilst being generally intrusive. It was also considered that the road network could not cope with the existing levels of traffic at Ingleby to which the development would further add. The site was indicated as being home to rabbits and other wildlife.

Several matters related to spacing of dwellings, highways issues and landscape details had been addressed through the submission of a revised plan.

The proposed development was considered to be acceptable in principle with adequate internal spacing and design detail to meet the requirements of

planning policy. The highways aspects of the proposed development were accepted following amendment, whilst provision of open space was considered under the earlier approval reference 03/0875/P. It was considered that the development would have a negative impact on some of the existing dwellings adjoining the site as a result of spacing, however, not to a degree, which would justify the refusal of planning permission.

In view of the above it was considered that the proposed development accorded with policies GP1, HO1F, HO3 and HO11 of the Stockton on Tees Borough Local Plan.

Members raised the following concerns:-

- The closeness of plot 425 and 428
- Purchasers of the houses in the previous development were led to believe that there would be greater space between their homes due to the plans that they were shown however it appeared that the plan had changed therefore the proposed development would have an undesirable impact on the existing development. Had the initial plans been approved by Committee and was the current application a change from original approved plans?
- Density

Members were advised that plots 425 and 428 were positioned gable to gable and was therefore considered acceptable.

The concern regarding the plans shown to purchasers of the houses in the previous, adjoining development were address by a Planning Officer - BARRY
CAN YOU FILL IN THE BLANK WITH THIS.

Members were advised that density was calculated on a site basis, not individually and as such the density was within approved standards.

RESOLVED that application 06/2100/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): -

Site Location Plan: SBC001

Site Layout: IB/E/PLO1 rev.c,

House Types: 1699-23 & 24, 2269-23 & 24 & 25 & 26, 2108-23 & 24 & 25 & 26, 1520-23 & 24 & 25, 1929-23 & 24 & 25 & 26, 1957-17 & 18 & 23 & 24, 2088-23 & 24 & 25 & 26, 1902-23 & 24 & 25 & 26.

Garage Type: IB/E/04

2. Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings have been approved in writing by the Local Planning Authority.

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. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for hard and soft landscaping and its maintenance, details of ground modelling, protection of existing trees, drainage runs and street furniture of all open space areas. The work shall be carried out during the first planting and seeding season following the substantial completion of the development, and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local Planning Authority gives written consent to any variation.

5. Notwithstanding details hereby approved the highways within the site shall be constructed in accordance with a scheme of traffic calming to be submitted to and approved in writing with the Local Planning Authority prior to commencement of the construction of the highways.

6. No Development hereby approved shall commence on site until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out, submitted to and approved in writing by the Local Planning Authority. The study must identify industry and geologically based contaminants and include a conceptual model of the site. If it is likely that contamination is present a further Phase 2 site investigation scheme involving risk estimation shall be carried out, submitted to and approved in writing by the Local Planning Authority prior to any development hereby approved commences on site.

7. No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance which will be carried out in accordance with the requirements of the report.

8. No development hereby approved shall commence until a scheme of insulation to mitigate against noise generated by the adjoining site has been submitted to and approved in writing by the Local Planning Authority and the development. The development shall be carried out in accordance with these approved details unless agreed otherwise in writing with the Local Planning Authority.

9. During construction of the scheme hereby approved there shall be no development works undertaken outside the hours of 8.00a.m. - 6.00p.m. weekdays, 8.00a.m. - 1.00p.m. Saturdays and at no times on Sundays or bank holidays.

10. Notwithstanding the provisions of classes A, B, C, D & 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 curtilage without the written approval of the Local Planning Authority.

11. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for all properties within the development 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.

571

06/0959/REV

Wearmouth Construction and Plant Limited, Cliffolgwen Depot, Sandy Leas Lane

Revised application (part retrospective) for industrial/office building

A site visit took place prior to the meeting.

Retrospective planning permission was sought for the erection of an industrial and office building at an existing building contractor's yard off Sandy Leas Lane, Stockton on Tees.

Planning permission had been previously granted for the erection of an industrial and office building on the site, however, the building, which currently occupied the site, had not been constructed in accordance with the approved plans, having a greater footprint area and increased height.

9 letters of objection had been received in respect to the application. Objections were mainly based on the scale and appearance of the building, its impact on surrounding residential properties and the countryside landscape setting, impact of additional traffic and even though the revised plan proposed a 2 metre reduction of the building it would not sufficiently reduce the impact on the surroundings and adjoining properties. Several objections had been made in respect to the general expansion of the business operation which occupied the site and works which had taken place within the vicinity of the building and on the adjoining site, although it was considered the latter was not a material planning consideration in determining the application.

In view of the earlier approval for an industrial and office building it was considered the principle of the development in the location had already been established. The main issues in determining the application were therefore the impact of the additional size of the building on the character and appearance of the area and on adjoining residential properties.

The plans originally submitted had been amended to set the building further away from the boundary with the adjoining residential property and to apply additional cladding of vertical timber boarding over the existing steel sheet cladding.

The Officer considered that the building as built was particularly large and with

the additional height became a particularly dominant feature within the landscape, being more prominent than all of the other buildings currently on this and the immediately adjoining site. In view of this dominance it was considered that the building was on the limitations of suitability. However, by amending its appearance as indicated, it was considered that a satisfactory detailed building would be achieved which complied with the requirements of Policies GP1 and IN15 of the Stockton on Tees Local Plan. It was further considered that the combined amendments of additional spacing formed the boundary and the amended appearance would assist in minimising the impact of the additional scale on the adjoining property.

The Agent addressed the Committee and advised that activity on the site was not a planning consideration, which was confirmed by the Planning Officer at the meeting.

Members were advised that the applicant regretted starting the build prior to obtaining planning permission; however the scheme had been amended to reduce the size of the building whilst still accommodating the needs of the business. The site was an existing commercial site and the applicant hoped that enforcement action would not be considered as required due to the huge cost.

An objector addressed the Committee and advised that the appearance was immaterial as an industrial site should never have been allowed on a rural area.

The development went against the Council's mission statement and policies GP1 and EN13.

The previous owner of the original building lived and worked on the site, which the objector considered acceptable, however the existing owners used the site for business only.

Members provided the following comments:

- The business/building bore no resemblance to agricultural use
- Went against EN13
- It was an extension and should therefore have obtained planning approval prior to being built
- Surprised that there was no comment from the Highways Department as Sandy Leas Lane was not suitable for regular use by plant hire vehicles
- A reduction in the hours of use was requested i.e. 7am - 7pm as opposed to the 7am - 10pm proposed in the conditions.
- What would happen if there were a change of use? and had there been a change of use?
- It was a building without planning permission therefore it should be knocked down
- The farming business had reduced in the countryside therefore an effort needed to be made to bring people into the countryside.
- Requested that holly be included in the specifications for planting

In response to the queries regarding change of use, a Planning Officer advised that he was unaware whether there had been a change of use; however it was not mentioned in the report and could therefore be assumed that there had not

been such changes.

Plant Hire companies usually stayed open until 10pm; however the applicant advised that they would be happy for the hours to be 7am - 7pm.

The Planning Officer advised that the Planning Committee were not looking at the application on its own; there had been a previous approval for which the Planning Department were striving to form a link with the application before Members.

RESOLVED that planning application 06/0959/REV be refused as in the opinion of the Local Planning Authority the development is contrary to policies GP1 and EN13 of the adopted Stockton on Tees local plan by virtue of the size, location and dominating effect of the development on its relationship with the surrounding area and the effect on the amenities of the occupiers of nearby properties thereby harming the character and appearance of the countryside.

572

05/2866/OUT

18 Leven Road, Yarm, TS15 9JE

Outline application for the erection of 7 no. Dwellinghouses and garages (demolition of existing dwelling)

The application site was a large residential property built circa the 1930's. The site had a large rear garden and was set back from Leven Road, this particular area of Leven Road was characterised by large residential properties as could also be found at No.'s 16, 20 and 22 Leven Road.

A previous application (05/0990/FUL) for residential development comprising of 1 No. apartment block, containing 12 units, and 4 No. detached dwellings with associated garaging and parking was submitted for consideration in April 2005, but was subsequently withdrawn by the applicant.

This application sought outline planning consent for the erection of 7 No. detached dwelling houses and the demolition of the existing building ('Wainstones'). The applicant sought only that the siting and means of access were considered.

The application was put before members of the Planning Committee for determination due to the level of support received for the application.

Objectors made the following comments:-

- An application had been made to English Heritage in regards to Wainstones along with some other houses of historical architecture but they had declined to list them as buildings of historical merit due to the fact that there were many others of their type in the country, however there were not many in the region.
- 282 letters of objection had been received showing the strength of feeling in the area.
- Access
- Density
- Impact on neighbours
- Agent had 18 months to discuss issues and make amendments but did

nothing until this meeting which was surely too late.

- The proposal would have a big impact on residents who lived behind the site.
- The proposal would be too close to properties behind the site.
- Plots 6 and 7 would suffer from loss of light due to the big hedge that provided privacy for the neighbours, if the hedge was cut down to provide light it would result in a lack of privacy for the existing neighbours and Plots 6 and 7.

Members made the following comments:-

- There were not many buildings of such high level within the Borough.
- The plans did not show enough room for refuse trucks to gain access therefore it would be an environmental issue if waste was to be left on Leven Road.
- Double white lines already existed on Leven Road, which indicated that there were already highway safety concerns along this part of the highway.

RESOLVED that planning application 05/2866/OUT be refused for the following reason(s):

1. In the opinion of the Local Planning Authority the proposed access to the development by virtue of its inadequate junction spacing with Woodlands Drive would create a substandard access to the detriment of highway safety and the free flow of traffic along Leven Road, contrary to policy GP1 of the adopted Stockton on Tees Local Plan.
2. The additional traffic generation from the proposed 7no. dwellings and the proximity of the access road to No. 20 Leven Road would have an unacceptable impact on the amenity of these residents through noise and disturbance and is contrary to policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.
3. In the opinion of the Local Planning Authority the proposed arrangement of the proposed dwellings would result in amenity standards below that which could reasonably be expected for the existing and future residents, contrary to policy GP1 of the adopted Stockton on Tees Local Plan.
4. In the opinion of the Local Planning Authority the application site is of inadequate size to satisfactorily accommodate 7no. dwellinghouses resulting in a cramped form of development, contrary to policy GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.
5. The proposed development by virtue of its small plot sizes would have a detrimental impact on the quality and character of this area of Leven Road, which is characterised by large dwellings with large plot sizes, contrary to policy GP1 of the adopted Local Plan.

Policies GP1, H03 and H011 of the adopted Stockton on Tees Local Plan were relevant to this decision.

573

06/2229/LA

Parkside Centre, Melrose Avenue, Billingham

Extension to existing car park to create extra 13no. parking spaces (45 in total) and installation of 2no. 4 metre high lighting columns

The item was withdrawn by the applicant prior to the meeting.

574 05/3309/COU
West End Farm, Longnewton
Retrospective application for the change of use from agricultural land to form a ménage area.

The planning application sought retrospective approval for the change of use from agricultural land to form a ménage area at West End Farm, Longnewton.

6 objections to the application had been received from local residents.

The application accorded with the local plan policies and was recommended for approval with conditions.

RESOLVED that planning application 05/3309/COU 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

2. The development, hereby approved, shall not be used for commercial purposes.

575 Enforcement report, Unauthorised works 13-15 Station Road, Eaglescliffe

The item was deferred.

576 Unauthorised development for the creation a hard standing area and unauthorised use of parking of commercial vehicles on hard standing area on land adjacent to No.6 Blenheim Court

A hard standing area had been constructed on land adjacent to No. 6 Blenheim Court, Ingleby Barwick. The hard standing area was used to park commercial vehicles (sometimes up to 5) along with associated machinery. The person who carried out the works had however, indicated that it was also the intention to construct garages on the site, but they had not been erected.

The person who carried out the works had been advised to submit a planning application on several occasions. Complaints had been received from local residents and Ward Councillors in relation to the work that had been carried out on the site, which had included excavation of the land and the deposition of hardcore material.

It was considered that the proposed development would have a detrimental impact on the adjacent green wedge and special landscape area, harming the visual appearance and open nature of the application site. It was also considered that the use of heavy commercial vehicles such as vans and truck

as previously seen on the site would have a detrimental impact on the amenity of the neighbouring residents. It was viewed to be appropriate for enforcement action to be taken to cease the unauthorised use and to remove the unauthorised development.

The applicant advised that the area of hardstanding was originally a turning point for tipper wagons. 150 tons of hard core had been laid for the hard standing.

An application would shortly be submitted for approval to erect garages on the site; however the applicant advised that neighbours were not happy with the prospect as they were concerned that it would restrict their view.

A neighbour spoke in objection to the application advising that the presence of the commercial vehicles had been a constant annoyance on a bridleway. It was constantly noisy and appeared to be used as a commercial venture. Fences had been damaged by vehicles coming and going and large bonfires which took place on a regular basis to get rid of commercial waste, had heat damaged a mature tree. The presence of such vehicles and commercial venture were not suitable in a residential area.

Members requested that:-

- That a condition should be included instructing the applicant to restore the area covered with hardstanding.
- Needed to under go talks regarding the restoration of the bridleway.

The Planning Officer advised that part of the enforcement action would require that the area of hardstanding was restored to its original nature; however the matter of restoring the bridleway would need to be looked into.

RESOLVED that the Director of Law and Democracy be authorised to take all necessary enforcement to cease the unauthorised use and remove the unauthorised development as it has a detrimental impact on the visual amenities of the locality and the amenity of the neighbouring properties.