

Planning Committee

A meeting of Planning Committee was held on Wednesday, 14th March, 2007.

Present: Cllr M Stoker (Chairman), Cllr Mrs J Beaumont, Cllr D T Brown, Cllr D Cains, Cllr M Cherrett, Cllr C Coombs, Cllr K Faulks, Cllr R Patterson, Cllr M Perry, Cllr Mrs M Rigg, Cllr R Rix, Cllr F G Salt, Cllr S F Walmsley and Cllr M E Womphrey.

Officers: P Whaley, B Jackson, C Straughan, R McGuckin, P Shovlin, M Robinson, C Llewellyn (DNS) S Johnson, J Butcher (LD).

Also in attendance: Applicants, agents and members of the public.

Apologies: Cllr P Kirton, Cllr K Leonard, Cllr M Smith.

1128 **Declarations of Interest**

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in item 06/3752/OUT, Site North Of Blair Avenue, Ingleby Barwick, Stockton - Outline application for mixed use development comprising 50 no. place children's nursery, 75 no. bed old peoples home, 816 square metre Primary Care Trust building together with associated means of access and car parking, due to being involved in the original outline planning application.

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in item 07/0492/REM, Site North of Blair Avenue, Ingleby Barwick - Reserved matters application for the erection of a children's day nursery, community centre (D2 use class), associated car parking and access road, due to being involved in the original outline planning application.

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in item 07/0281/REV, 57 Willow Bank Cottage, Forest Lane, Kirklevington - Revised application for two-storey extension to rear, porch and canopy to front and pitched roof over existing garage and kitchen, due to being a member of Castle Levington and Kirklevington Parish Council.

1129 **Minutes of the meetings held on 10th January 2007 and 31st January 2007 - to be signed by the Chairman as a correct record**

The minutes of the meetings held on 10th January 2007 and 31st January 2007 were signed by the Chairman as a correct record.

1130 **06/3822/FUL**

**Site bounded by Piper Knowle Road, Whessoe Road, Whessoe Walk, Wheatley Road, Whickham and High Newham Road
Residential development comprising construction of 626 no. New dwellings consisting of 1 and 2 bed apartments, 2, 3 and 4 bed houses, all necessary road closure and engineering work, construction of new drainage and other services, associated landscaping and car parking and demolition of 142 no. Properties.**

Consideration was given to a report that sought planning permission for a residential development comprising the construction of 626 new dwellings consisting of 1 and 2 bed apartments, 2, 3 and 4 bed houses, all the necessary

road closures and engineering work, construction of new drainage and other services, associated landscaping and car parking and the demolition of 142 properties.

A previous application for planning permission (05/3466/FUL) to provide 581 dwellings as part of the regeneration of the Hardwick Estate, Stockton, was approved in March 2006. Since the approval, significant changes had been made to the master plan layout and therefore a new planning application had been submitted. Consultation events on the new layout had taken place with residents in November 2006 and January 2007.

The report outlined that the applicants Barratt Newcastle and Haslam Homes were working in partnership with the Council and other agencies to redevelop the Hardwick Estate and was part of an overall initiative to address housing market restructuring in Stockton Borough and more generally in the Tees Valley sub region. The need for demolition related primarily to stock that was physically obsolete, structurally unsound or unviable due to repair costs. The new dwellings would in effect constitute replacement dwellings for the properties to be demolished.

Overall Members felt that the nature and scale of the development was acceptable and parking provision and access was satisfactory. It was considered that the site could satisfactorily accommodate the residential proposal without any undue impact on the amenity of any adjacent neighbours and did not conflict with policies in the Development Plan. Members felt that it would regenerate a disadvantaged area and would involve the replacement of obsolete housing and the creation of a better quality living environment and would also bring forward plans for a new school and community and leisure facilities.

The officer referred to amendments to conditions 21 and 22 of the recommendations in the main report relating to ensuring the approved schemes were implemented.

RESOLVED that planning application 06/3822/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): - 470-14, SBC32, QD126, SBC1, SBC2, SBC3, SBC4, SBC5, SBC6, SBC7, SBC8, SBC9, SBC10, SBC11, SBC12, SBC13, SBC14, SBC15, SBC16, SBC17, SBC18, SBC19, SBC20, SBC21, SBC22, SBC23, SBC24, SBC25, SBC26, SBC27, SBC28, SBC29, SBC30, SBC31, QD126-01-02 K, QD126-01-01 K, QD126-02-01 J, QD126-07-01.

2. Details of all external finishing materials including roads and footpaths shall be agreed with the Local Planning Authority before the development is commenced.

3. 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 curtilage without the written approval of the Local Planning Authority.

4. All means of enclosure and street furniture 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 and street furniture as agreed shall be erected before the development hereby approved is occupied.

5. The redevelopment of the playing fields at Hardwick Primary School shall not commence until they have been replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements to the written satisfaction of the Local Planning Authority.

6. 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 and Bank Holidays.

7. 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 LPA. Roof water shall not pass through the interceptor.

8. 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.

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

10. The eighty 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.

11. A detailed scheme for landscaping and tree and/or shrub planting and grass 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, sizes and species, densities,

layout contouring, drainage 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 prior attained size and species unless the Local Planning Authority gives written consent to any variation.

12. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a programme agreed with the Local Planning Authority.

13. A five year 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.

14. A detailed landscaping scheme, method statement and management plan for the balancing ponds/spillway and associated hard and soft landscaping to Hardwick Dene, shall be submitted to and approved by the Local Planning Authority prior to its implementation. The method statement shall be developed in conjunction with Stockton Borough Council and Tees Valley Wildlife Trust and detail the method of construction of the ponds; include full planting plans; ground levels and mounding and management specification, access arrangements and tree and habitat survey in accordance with British Standards and recognised codes of practice. The management plan shall be for a period of 25 years.

15. Protective measures for all tree planting shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

16. 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.

17. If it is likely that contamination is present, no development shall commence until a Phase 2 site investigation scheme to involve risk estimation has been carried out. The developer must design and implement intrusive investigations to provide sufficient information on potential contamination.

18. The groundwork's, including any preventative/pollution control measures to safeguard the watercourse and ecology, to provide the balancing ponds, the

outfall, the spillway and landscaping to Hardwick Dene, including connection to the approved scheme, shall be implemented in accordance with details and a phased programme to be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be maintained thereafter to the satisfaction of the Local Planning Authority.

19. No development shall take place unless in accordance with the mitigation detailed within the protected species report (Hardwick, Stockton-on –Tees, Bat Dawn Emergence Survey and Internal Inspection Report, Barratt, Oct 2006) including, but not restricted to adherence to precautionary working methods as set out in Section 4 of the above report.

20. The detailed location, design, spacing and materials of the speed reduction features shall be agreed with the Local Planning Authority before the development is commenced.

21. Notwithstanding the submitted plans precise details of the northern footpath proposed at the Harrogate Lane access to the site shall be submitted to and approved in writing by the Local Planning Authority before development commences and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

22. Notwithstanding the submitted plans precise details of the cycle track/footpath proposed through the site shall be submitted to and approved in writing by the Local Planning Authority before development commences and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

23. Development shall not be commenced until the LPA has approved in writing the details of the lighting columns, lighting and colour and luminance, including the specification of the units of the garages.

24. Internal visibility splays on the main route within the estate should be 4.5 x 70metres and splays when emerging from a cul-de-sac should be 3x33metres. Within the splays planting must be kept below the height of 600mm.

1131

06/3752/OUT

Site North Of Blair Avenue, Ingleby Barwick, Stockton

Outline application for mixed use development comprising 50 no. place children's nursery, 75 no. bed old peoples home, 816 square metre

Primary Care Trust building together with associated means of access and car parking.

Consideration was given to a report that sought outline planning permission for mixed use development, comprising a 50 place children's nursery, a 75 bed old people's home and a 816 square metre Primary Care Trust building together with associated means of access and car parking.

At the time of the meeting the land was 0.689 hectares in size and was located on the north side of Blair Avenue close to the Myton Way Centre, the main retail/commercial centre in Ingleby Barwick. Most of the site already had outline planning approval for a nursery together with a Community centre. Reserved

matter approval for that development was being dealt with as a separate planning application. The development had caused a significant degree of public concern. The primary concerns related to traffic and highway safety given the problems in Ingleby Barwick, the loss of what was seen as an open space area to development, the lack of need for such uses and other issues such as potential to give rise to anti-social behaviour problems.

Members were presented with an update report. An access drawing for the proposed development had been received since the main report. The update report outlined the comments from the Head of Technical Services in relation to the access drawing.

Members raised concerns relating to the proposed development. The main concerns related to traffic and highway safety and the loss of open space on the site. Members felt that the proposed development would further contribute to the congestion problems in Ingleby Barwick and raised concerns over highway safety in that area.

The agent for the application was in attendance at the meeting and was given the opportunity to outline his case.

A Parish Councillor for Ingleby Barwick spoke against the application.

Two Ward Councillors spoke against the application.

RESOLVED that planning application 06/3752/OUT be refused for the following reasons:

1. In the opinion of the Local Planning Authority the proposed development would generate additional traffic in the area where the existing highway infrastructure is severely congested and would therefore be detrimental to the interests of highway safety contrary to the objectives of Planning Policy Guidance Note No 13 Transport.
2. In the opinion of the Local Planning Authority the development would result in a loss of an area of open space identified as part of the Local Open Space System in the Ingleby Barwick Master Plan (Revised 1991) to the detriment of the visual amenities of the area and contrary to policy GP1 of the adopted Stockton on Tees Local Plan.
3. In the opinion of the Local Planning Authority the development would result in a loss of an area of land which provides a buffer between built development within the Ingleby Barwick and as such would be detrimental to the visual amenities of the area contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in the above item due to being involved in the original outline planning application.

1132

07/0492/REM

Site North of Blair Avenue, Ingleby Barwick

Reserved matters application for the erection of a children's day nursery, community centre (D2 use class), associated car parking and access

road

Consideration was given to a report that sought reserved matter approval for the erection of a 100 place children's day nursery, a community centre and associated car parking and access road.

At the time of the meeting the application site was part of an area that was the subject of controversial development proposals. The application related to previously approved development and sought only approval of the details of the buildings in terms of siting, layout, design, external appearance and landscaping. It was noted that the landscaping details were insufficient but a condition on the outline approval which had not been discharged retained control over that aspect of the development. The landscape architect had raised concerns over landscaping, including new tree planting and protection of existing trees and hedgerows. The landscape architect also raised concerns over the siting of the building.

A number of concerns had been received from residents but related primarily to the principle of the proposed development.

Members were presented with an update report that outlined the views received by the Parish Council. The update report also included additional comments received from the Head of Technical Services relating to visibility splays.

Members of the Committee raised concerns relating to the proposed location of the children's nursery building and felt that it would not allow sufficient area around it to enable a satisfactory landscaping boundary treatment.

The agent for the application was in attendance at the meeting and was given the opportunity to outline his case.

RESOLVED that planning application 07/0492/REM be refused for the following reason:

1. In the opinion of the Local Planning Authority the location of the children's nursery building would not allow sufficient area around it to enable a satisfactory landscaping boundary treatment and would therefore be detrimental to the visual amenities of the area contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in the above item due to being involved in the original outline planning application.

1133

07/0226/OUT

**Land at former Community Centre, Adjacent to Lennox Crescent
Billingham**

**Revised Outline application for two-storey apartment building comprising
4no. apartments and associated parking.**

Consideration was given to an application that sought outline planning permission for a two storey apartment building comprising four 2 bed apartments and associated car parking. At the time of the meeting the application site was a vacant plot of land located within a residential area of

Billingham. The site was formerly occupied by a single storey community centre.

The application was a revision to application 06/3791/OUT, which sought outline permission for the erection of one block of development housing 6 apartments. The scheme was withdrawn to address concerns raised by officers with respect to the scale of the building and its impacts on the surrounding area.

Letters of objection had been received from 15 neighbouring households in respect to the proposed development. The main objections related to highway safety, loss of open space, impact on the street scene and over development of the site. In addition to the letters of objection, the applicant was an employee of Stockton Borough Council and therefore the application needed to be determined by the Planning Committee.

Members were presented with an update report which outlined that a further 7 letters of objection had been received and in addition, 39 copies of the same letter with 65 signatures had been received.

Members of the Committee raised concerns over the proposed development. The main concerns related to loss of open space and access. Members of the Committee requested that the application be deferred to allow for a site visit.

The Ward Councillor was in attendance at the meeting and spoke against the application.

The agent for the application was in attendance at the meeting and was given the opportunity to outline his case. A member of the public spoke against the application.

CONCLUDED that planning application 07/0226/OUT be deferred to allow for a site visit.

1134 07/0281/REV
57 Willow Bank Cottage, Forest Lane, Kirklevington
Revised application for two-storey extension to rear, porch and canopy to front and pitched roof over existing garage and kitchen.

Consideration was given to a report that sought planning permission for a two storey extension to the rear of the property, porch and canopy to the front of the property and a pitched roof over the existing garage and kitchen.

At the time of the meeting the application site was a large two-storey property situated off Forest Lane, Kirklevington. The site was surrounded to the east by No. 55 Forest Lane, while No.'s 1-5 The Green and 13-15 The Green were situated to the west and south respectively.

Planning Committee refused a two-storey extension application for planning permission in June 2005 and the subsequent appeal was dismissed.

Members were advised that the revised application sought permission for the erection of a 6m (long) x 5.8m (wide) ground floor extension, a 4.8m (long) x 6.8m (wide) two-storey extension, pitched roof over the existing garage and

kitchen, and a porch and canopy to the front of the property.

Members of the Committee raised concerns over the proposed development. On the whole Members felt that proposed development would have an overbearing impact on neighbouring properties.

A resident was present at the meeting and was given the opportunity to outline her case.

RESOLVED that planning application 07/0281/REV be refused for the following reason:

1. The proposed two-storey rear extension by virtue of its size and location would have an unacceptable overbearing effect on the neighbouring property, No. 55 Forest Lane, Kirklevington harming the existing residential amenity of these residents, contrary to policies GP1 and H012 of the adopted Stockton on Tees Local Plan.

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in the above item due to being a member of Castle Levington and Kirklevington Parish Council.

1135 Revised Local Development Scheme 2007

Members were presented with a report that outlined revisions to the Local Development Scheme (LDS), which set out detailed arrangements for the production of Local Development Documents (LDDs) which would comprise the Council's Local Development Framework (LDF). Members were advised that the revisions were necessary in order to delete the documents that had been completed and adopted, to insert new documents and to revise the timetable for the production of the Core Strategy, Regeneration and Environment Development Plan Documents (DPDs) in accordance with current resources.

CONCLUDED that:

1. The report be noted.
2. The amendments to the timetables of individual LDDs and the addition of an additional Supplementary Planning Document (SPD) for Greater North Shore be agreed.
3. The further stages in agreeing the revised timetable with Government Office for the North East (GO-NE) and the Planning Inspectorate (PINS) be noted.
4. Minor amendments to the timetable required by GO-NE and PINS be delegated to officers.

1136 Local Development Framework Steering Group minutes

RESOLVED that the minutes of the meeting held on 11th December 2006 be received.

1137 1. Appeal - KG And JG Finch - 6 Seamer Road Hilton Yarm - 06/0816/FUL -

DISMISSED

- 2. Appeal - Mr And Mrs Leishman - 33 Jubilee Grove Billingham TS22 5EH
- 06/1784/FUL - DISMISSED**
- 3. Appeal - Mr And Mrs S Craggs - 43 Brentford Road Norton
Stockton-on-Tees - 06/0835/FUL - DISMISSED**
- 4. Appeal - Mr Stuart Blackham - 46 Redwing Lane Norton Stockton On
Tees - 06/0660/FUL - ALLOWED**