

Planning Committee

A meeting of Planning Committee was held on Wednesday, 8th August, 2007.

Present: (Meeting) Cllr Roy Rix (Chairman), Cllr Jim Beall, Cllr Phillip Broughton, Cllr Mrs Eileen Craggs (vice Cllr Miss Tina Large), Cllr John Gardner, Cllr Robert Gibson (vice Cllr Mick Stoker), Cllr Paul Kirton, Cllr Alan Lewis (vice Cllr Julia Roberts), Cllr Ross Patterson, Cllr Mrs Maureen Rigg, Cllr Fred Salt, Cllr Andrew Sherris (vice Cllr Mrs Jennie Beaumont), Cllr Steve Walmsley

(Site Visit) Cllr Roy Rix (Chairman), Cllr Jim Beall, Cllr Mrs Eileen Craggs (vice Cllr Miss Tina Large), Cllr John Gardner, Cllr Alan Lewis (vice Cllr Julia Roberts), Cllr Mrs Maureen Rigg, Cllr Andrew Sherris (vice Cllr Mrs Jennie Beaumont)

Officers: (Meeting) P Whaley, B Jackson, H Smith, S Keetley, P Shovlin, C Snowdon, J Roberts, J Elliott (DNS); J Butcher, S Johnson (LD)

(Site Visit) B Jackson, A Glossop (DNS)

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

Apologies: (Meeting) Cllr Mrs Jennie Beaumont, Cllr David Harrington, Cllr Miss Tina Large, Cllr Julia Roberts, Cllr Mick Stoker

(Site Visit) Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr David Harrington, Cllr Paul Kirton, Cllr Tina Large, Cllr Ross Patterson, Cllr Julia Roberts, Cllr Fred Salt, Cllr Mick Stoker, Cllr Steve Walmsley

P 33/07 Minutes of the meetings held on 4th April 2007, 25th April 2007, 31st May 2007 and 6th June 2007 - for signature

The minutes of the meetings held on 4th April 2007, 25th April 2007, 31st May 2007 and 6th June 2007 were signed by the Chairman as a correct record.

P 34/07 07/1800/FUL 232 Oxbridge Lane, Stockton-on-Tees, TS18 5AA Revised application for two storey extension to side and single storey extension to rear (demolition of existing garage)

Consideration was given to an application that sought planning permission for a two storey extension to the side and single storey extension to the rear, with the demolition of the existing garage, of 232 Oxbridge Lane, Stockton. The application site was a two storey semi-detached property situated on the corner of Oxbridge Lane and Chelmsford Avenue.

The property had been subject to two previous applications for extensions. The first application (04/0877/FUL) proposed a two-storey extension to the side and rear and was refused as the extension would have imbalanced the pair of semi's and also due to the lack of parking provision. The second application (06/3119/FUL) again sought planning permission for the erection of a two-storey extension to the side and single storey extension to the rear and was again refused on similar grounds.

The application was put before members of the Planning Committee due to an objection being received from a Council Employee.

Members of the Committee considered that the proposed development would have an unacceptable impact on the character of the existing property and the

street scene. It was also considered that the development would have a detrimental impact on the residential amenity of the residents of No. 1 Chelmsford Avenue and No. 232 Oxbridge Lane.

RESOLVED that planning application 07/1800/FUL be refused for the following reasons:

1. In the opinion of the Local Planning Authority, the proposed two storey extension to the side of the property will, as a result of its significant width and design, cause significant imbalance to a pair of semi-detached dwellings and become an incongruous addition within the street scene which currently has a prominent vernacular character. It is therefore considered that the proposed development would be contrary to Policies GP1, HO12 and Supplementary Planning Guidance Note No.2 of the adopted Stockton on Tees Local Plan which requires extensions to dwellings to be in keeping with the property and street scene in terms of style, proportion and materials.

2. In the opinion of the Local Planning Authority the siting of the proposed parking area by virtue of the loss of private garden to No. 232 Oxbridge Avenue and through noise and disturbance to No. 1 Chelmsford Avenue, would harm the existing residential amenity of both No. 232 Oxbridge lane and No.1 Chelmsford Avenue contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

P **07/1356/ARC**
35/07 **Application under Section 73 to vary Condition 2 (Approved Documents) and Condition 12 (Levels) with regard to Plot 419 of planning approval 06/2100/REM for Residential Development of 35 no. dwellinghouses Portus Bar, Ingleby Barwick,**

Consideration was given to an application under Section 73 to vary Condition 2 (Approved Documents) and Condition 12 (Levels) with regard to plot 419 of planning approval 06/2100/REM for a residential development of 35 dwellings. The site was located at Portus Bar, Ingleby Barwick.

The application was considered by committee on the 18th July 2007 at which it was decided that a site visit was required in order to adequately assess the application site and its surroundings.

It was explained that planning permission was granted under application 06/2100/REM for the reserved matters for 35 dwellings. Amongst others, the permission was approved subject to a Condition (12) relating to the provision of ground and floor levels to be agreed with the Local Planning Authority prior to commencement of development.

The levels had not been agreed and development had commenced. The levels had since been submitted and were found to be acceptable for all Plots, except plot 419. It was explained that on plot 419, the levels were such that the position and treatment of windows, doors and an internal path allowed overlooking of neighbouring properties, and had an unacceptable adverse impact on the privacy expected to be enjoyed by the occupants of the neighbouring dwellings.

It was explained that the condition remained outstanding and could not be discharged formally until the issue of the levels on plot 419 had been addressed. In order to do so, amendments had been sought to the existing approved house type to remove a pathway from the side of the property, relocate a garage door, fix and obscurely glaze windows, and to amend boundary treatments. This required an alteration to Condition 2 - a list of the approved documents to include the amended house type and garden features and levels at Plot 419, and rewording of Condition 12 which allowed consideration of levels (apart from Plot 419, details of which now form part of the list of approved documents) prior to occupation of the dwellings rather than prior to commencement of development.

It was noted that a total of 6 objections had been received in respect of this application with objections mainly relating to privacy, amenity, and daylight and flooding matters.

Members of the Committee raised concerns over the proposal and considered that it was unacceptable. It was considered that it would have an unacceptable impact on the privacy and amenity of the neighbouring properties and also that of the future occupiers of plot 419.

A resident was in attendance at the meeting and objected to the proposal.

RESOLVED that planning application 07/1356/ARC be refused for the following reason:

1. In the opinion of the Local Planning Authority the proposed development of plot 419 would have an unacceptable impact on the amenities of the adjacent properties in Brougham Close and the proposed changes to Plot 419 would also adversely impact on the level of amenity that future occupiers of plot 419 would be reasonably entitled to expect and the development would therefore be contrary to policies GP1 and HO11 of the adopted Stockton on Tees Local Plan.

P **07/1665/FUL**
36/07 **Holmfield, Yarm Back Lane, Stockton-on-Tees**
Revised application for erection of glasshouses and retention of existing shed for use as storage/potting shed for market garden business.

Consideration was given to a report that sought planning permission for the erection of 3 glass houses and the retention of a shed for use as a storage/potting shed for a market garden business. A previous application had been refused for the retention of the shed in connection with a joinery business. The shed had been erected without the benefit of planning permission. It was explained that following the refusal of the earlier application, an appeal was made and dismissed by the Planning Inspector on grounds of the buildings impact on the character of the area and the use being contrary to policy.

A market garden was classified as an agricultural use and it was considered that the site was located in an area which was agricultural in nature. Both Local Plan Policy and National Policy supported agricultural uses in such locations. The proposed buildings were indicated as being needed in order to carry out the market garden business and it was considered that sufficient information had

been submitted to indicate this and to indicate that the business had a likelihood of success, thereby indicating that the erection and general impact of the buildings on the landscape could be justified.

It was noted that the existing appearance of the shed was not considered to be suitable for its location and the applicant had indicated agreement to re-clad the building to have a more rural appearance.

The Council's Highways Officer had requested additional information be submitted with regard to access to the site and turning of delivery vehicles, however, the business intended to take all goods to market and therefore not have any members of the public visiting to buy produce. It was considered that there would be limited additional traffic to the property whilst the existing access road, which served only this property, was considered to be adequate for delivery vehicles to access the site.

Six letters of objection had been received in respect of the proposal. The main objections related to the impact of the buildings appearance, noise and disturbance generated from the use and vermin being attracted to the site.

Members of the Committee were presented with an update report that provided additional information in respect of the previous applications in order to clarify appeal and enforcement matters in relation to the site. The update report also contained additional conditions relating to contaminated land.

On the whole Members of the Committee considered that the proposal was unacceptable. Members raised concerns over the size of the existing shed on the site in relation to the proposed use. Members also considered that the appearance of the existing shed was unacceptable.

An agent for a neighbour was present at the meeting and objected to the proposal.

RESOLVED that planning application 07/1665/FUL be refused for the following reason:

1. In the opinion of the Local Planning Authority the proposed development would have a harmful effect on the character and appearance of the countryside and is therefore contrary to policies GP1 and EN13 of the Adopted Stockton on Tees Local Plan.

**P
37/07**

**07/1416/FUL
Teesside Industrial Estate, Thornaby, Stockton On Tees
Revised application for New roundabout junction and ancillary works on
the A174.**

Consideration was given to a report that sought planning permission for the construction of a new roundabout access onto the A174 from Teesside Industrial Estate with ancillary works including a secondary roundabout within the estate, a link road and associated earthworks. It was noted that the development would result in the loss of two small sections of woodland and grassed sections of the A174 road corridor.

The section of the A174 and its immediate surrounding area were designated within the Local Plan under policies related to the provision of highway improvements, footpaths, cycle routes and open space. It was noted that the scheme would provide a new access into the estate which was expected to improve the demand of traffic on the existing A174 / A1045 junction. It would also provide a formalised crossing point for pedestrians into the estate from the housing areas to the north thereby alleviating the current risk to pedestrians crossing the A174 where there was no formalised crossing at a point where traffic speed was relatively high. It was explained that based on noise and air quality assessments and the screening provisions of existing landscaping and proposed earthworks, it was considered that the overall impact on surrounding residents was not expected to be significantly different from the current situation.

It was considered that the loss of two small areas of woodland would not be significant and in part, could be mitigated against through new planting.

A total of 35 letters of objection had been received from residents in the nearby housing estate, which backed onto the A174. Objections had also been raised by Councillors and Parish/Town Councils. Objections to the scheme included the detrimental impact of noise, air and light pollution as a result of the traffic coming closer to properties in Marykirk Road and as a result of the traffic slowing, turning, accelerating and queuing at this point. Other objections related to the impact on the existing tree cover, the ancient woodland and wildlife whilst questions were raised as to whether the proposal would actually improve the traffic situation or make congestion worse. One letter of support was received based on the improvements the scheme would bring to traffic movements. The Head of Technical Services considered that the proposed amendments would improve the flow of traffic in the area.

A section 106 Agreement was considered necessary in order to provide a bond for future highway works internally within the Industrial Estate if it was found that the new access resulted in the Industrial Estate being used as a rat run for non industrial estate traffic.

Members were presented with an update report that included additional information from the applicant in the form of an Ecological Report, Tree Survey, Noise Strategy and a Supplementary Planning Statement. The report also included additional comments from the Ward Councillor, Urban Design Landscape and Environmental Health. The report also set out amended wording in relation to the Heads of Terms in order to give flexibility to the precise mechanism for provision.

Members of the Committee raised concerns over the proposal. It was considered that the proposal would have an unacceptable impact on the privacy and amenity of the occupiers of nearby properties in relation to an increase in traffic noise. Members also raised concerns over the proposed development in relation to the free flow of traffic on the Parkway extension and considered that there was not enough supporting information to demonstrate that there would be no impact as a result of the roundabout.

The applicant was in attendance at the meeting and was given the opportunity

to outline his case.

Two residents were in attendance at the meeting and objected to the proposal.

RESOLVED that planning application 07/1416/FUL be refused for the following reasons:

1. In the opinion of the Local Planning Authority, the proposed development would have an unacceptable impact on the privacy and amenity of the occupiers of nearby properties as a result of the increased traffic noise without any clear evidence of mitigation, being contrary to Policy GP1 of the Stockton on Tees Local Plan.

2. In the opinion of the Local Planning Authority, it is considered that the supporting information within the planning application has not satisfactorily demonstrated that the roundabout would not impact on the free flow of traffic on the A174 Parkway extension and is therefore considered to be detrimental to traffic movement and highway safety, being contrary to Policy GP1 of the Stockton on Tees Local Plan.

P 07/1606/FUL
38/07 St James Church, High Newham Road, Stockton-on-Tees
Residential development of 35 no. one and two bedroom apartments

The above application was withdrawn prior to the meeting.

P 07/1482/REM
39/07 Former Sun Street Depot, And Adjacent Public Open Space, Thornaby
Reserved matters application for residential development comprising of
114 no. apartments and houses together with associated works

Consideration was given to a report that sought reserved matters approval for a residential development comprising of 114 apartments and houses with associated works. The application site was located to the south of the A66 Trunk Road, east of the River Tees and west of Thornaby Road in North Thornaby. The site encompassed Sun Street and Pottery Street and had frontage onto Thornaby Road.

It was explained that outline planning permission was granted on the 24th January 2005 under application number 04/2419/OUT for a residential development including public open space.

Members of the Committee were presented with an update report that provided information on affordable housing, amended plans, a flood risk assessment and that outlined comments received from the Landscape Officer.

It was noted that the principle of residential development on the site had already been accepted and details regarding the layout and affordable homes provision needed to be agreed. On the whole Members considered that the proposal was acceptable.

The applicant was in attendance at the meeting and was given the opportunity to address the Committee.

A local resident was in attendance at the meeting and was given the opportunity to outline his case.

RECOMMENDED that planning application 07/1482/REM be delegated to the Development Services Manager in the absence of the Head of Planning for approval subject to conditions and subject to receiving satisfactory amended plans, no objections from statutory consultees and an agreement on provision of affordable housing.

Should the necessary information not be received prior to the expiry date of the 16th August then the application will be refused on grounds of levels of amenity and affordable housing provision.

Conditions:

Plans

Materials

Noise disturbance from adjacent road traffic

Possible land contamination

Remediation and validation

Landfill Gas

Construction Noise

Archaeological features

Bounded surfaces – highways

Tree Protection

Landscaping

Cycle Storage

Bin storage

Means of enclosure

Levels

Works to southern boundary wall

Restrictions on Permitted development - External alterations

- Conversion of integral garages

And any other conditions that are deemed necessary.

P
40/07 **PLANNING PERFORMANCE**

Members considered a report that provided an update on the current performance of the planning department for the first quarter of 2007/2008. An update on the current staffing situation in the Planning department and the amount of Planning Delivery Grant (PDG) awarded to the authority for 2007/2008 was also presented.

The Chairman congratulated all Officers on behalf of the Planning Committee for their hard work and dedication.

RESOLVED that:

1. The quarterly performance report be noted.

2. The hard work and dedication of Planning staff and colleagues within other service areas be acknowledged.

**P
41/07** **PLANNING WHITE PAPER**

Members considered a report relating to the Planning White Paper that outlined some of the major changes, and the implications for the planning system. The Planning White Paper was published in May 2007. It was accompanied by a number of daughter documents giving additional detail on implementation. It was noted that responses to it were required by 17 August 2007.

Members discussed the main issues relating to the White Paper, in particular, the proposal to abandon the retail 'needs test' and replace it with a 'town centre first test'. Members requested that the response to the White Paper and its daughter documents be shared with the Chair of the Planning Committee.

RESOLVED that:

1. The report be noted.
2. The Head of Planning be authorised to respond to the White Paper as set out in the report.

**P
42/07** **Local Development Framework Steering Group Minutes - 19th March 2007 and 30th April 2007**

RESOLVED that the minutes of the meetings held on 19th March 2007 and 30th April 2007 be confirmed.