

Planning Committee

A meeting of Planning Committee was held on Wednesday, 29th August, 2007.

Present: Cllr Roy Rix (Chairman), Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr John Gardner, Cllr David Harrington, Cllr Paul Kirton, Cllr Mrs Maureen Rigg, Cllr Julia Roberts, Cllr Fred Salt

Officers: B Jackson, C Straughan, J Hall, H Smith, P Shovlin, R McGuckin, J Roberts (DNS); S Johnson, J Grant (LD)

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

Apologies: Cllr Miss Tina Large, Cllr Ross Patterson, Cllr Mick Stoker, Cllr Steve Walmsley

P Declarations of Interest

43/07

Councillor Julia Roberts declared a personal prejudicial interest in the item entitled Land Adjacent To, 1 Manor Place, Off Bishopton Road West - Outline application for residential development of 8 no. Apartments within one building and associated means of access (demolition of existing community centre building), due to having given support to the sale of the church hall.

Councillor Mrs Maureen Rigg declared a personal/non prejudicial interest in the item entitled 690 Yarm Road, Eaglescliffe - Revised application for residential development comprising 10 no. new build apartments and conversion of existing dwelling into 4 no. apartments together with associated access, parking and landscaping, due to being a member of Egglecliffe Parish Council.

P 7/0857/FUL

44/07

**Ramsey Gardens and Nevern Crescent, Ingleby Barwick
Extension of roadways to boundary of Betty's Close Farm/proposed residential development**

Consideration was given to a report that sought permission for the construction of access roads from the edges of the existing roads of Ramsey Gardens and Nevern Crescent in Ingleby Barwick, up to the boundaries of the Betty's Close residential/riverside park site.

Consideration of this application was deferred on the 27th June 2007 and Members of the Committee had requested further information regarding section 106 agreements and section 38 agreements on ensuring the access roads were properly maintained.

It was explained that an outline planning application for 17 no. Self-build housing plots and the creation of a riverside park/local nature reserve was approved with conditions in June 2006 (06/1064/OUT). Members were advised that whilst the current application related to the housing/riverside park it was a separate application and needed to be judged on its own merits.

Members were presented with an update report that provided additional comments from Ward Hadaway, on behalf of Bellways and Yuill Homes, relating to a Section 38 agreement.

On the whole Members considered that the proposal was acceptable subject to the 106 agreement requiring the applicant to enter into a section 38 agreement. It was considered that the proposed roadway extensions would have a minimal impact on the surrounding residents and would not pose any significant impacts on the highway network.

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

A representative for Bellway Homes was in attendance at the meeting and was given the opportunity to speak.

RESOLVED that planning application 07/0857/FUL be approved subject to the applicant entering into a section 106 Agreement to enter into a Section 38 Agreement of the Highways Act and 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): - SJR/06:79 &HS70017-D-002

2. The commencement of the development authorised by this permission shall not begin until a detailed scheme for the approved works has been submitted to and approved in writing with the Local Planning Authority. The approved works shall be implemented in accordance with the Local Planning Authority's written approval and shall be certified in writing as complete on behalf of the Local Planning Authority; unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

**P
45/07**

07/1817/OUT

Land Adjacent To, 1 Manor Place, Off Bishopton Road West

Outline application for residential development of 8 no. Apartments within one building and associated means of access (demolition of existing community centre building)

Consideration was given to a report that sought outline planning permission for the redevelopment of the site of a community association building to provide an 8 unit apartment block and associated parking, access amenity space and other ancillary development. The outline application was submitted to establish the principle of the development and its point of access.

A total of 22 letters of objection had been received in respect to the proposed development with the majority of objections relating to the point of the access, impact on amenity and privacy and the scale of the development.

It was explained that the proposal related to a brownfield site within the defined limits of development and within close proximity to a range of services.

Members were advised that the location of the proposed access into the scheme was moved following concern that the existing vehicular access into the site was insufficient in width to provide for the new use and for an adequate footpath to be provided. The Head of Technical services considered that the

proposed new access (off Manor Place) was adequate in width, achieved adequate visibility whilst appropriate levels of parking could be achieved along with refuse storage. It was further considered that the proposed development could be located on the site without unduly compromising the character of the area or the privacy and amenity of the surrounding properties.

It was explained that in view of there being a lack of formal play space within the site, the applicant would pay a commuted sum in lieu of such provision to be used towards the provision of active off site recreation within the locality.

Members were presented with an update report that outlined that one additional letter of objection had been received. The report also outlined that the Councils Environmental Development Officer had advised that the commuted sum in lieu of adequate on site formal and informal amenity space could be used towards environmental and recreational improvements to the large open space adjacent to St Marks Elm tree School along Bishopton Road West.

Members of the Committee considered that in order to fully understand the area and the application site, the application should be deferred for a site visit.

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

RESOLVED that planning application 07/1817/OUT be deferred for a site visit.

Councillor Julia Roberts declared a personal prejudicial interest in the above item due to having given support to the sale of the church hall and left the room for the consideration and voting of the item.

**P
46/07**

07/1698/FUL

690 Yarm Road, Eaglescliffe

Revised application for residential development comprising 10 no. new build apartments and conversion of existing dwelling into 4 no. apartments together with associated access, parking and landscaping.

Consideration was given to a report that sought planning permission for a residential development of 14 2 bed apartments to be provided through the conversion of an existing house into 4 units and 10 new build units being constructed within the associated garden. The development included single, two and three storey elements, 24 parking spaces and a revised access as well as other ancillary works such as cycle and bin store. The site was located at 690 Yarm Road, Eaglescliffe.

It was noted that the application was a revision to application 06/1869/FUL, which was withdrawn following concerns over the access to the site and other matters.

A total of 30 letters of objection had been received from 25 different properties within the locality. The main objections related to the over development of the site, the type of accommodation being provided the impact on the existing property, the loss of landscaping and the impact on the amenity and privacy of neighbouring properties.

The proposed development was considered to achieve adequate spacing

between existing dwellings and within the site between each unit of accommodation thereby preventing any significant undue impact on privacy or amenity. Adequate access and parking was provided to the satisfaction of the Head of Technical Services whilst the proposed tree retention and removal works was considered to retain adequate levels of landscaping.

There was limited area for play provision or open space within the site. As such a commuted sum had been agreed in lieu of on site provision.

Members were presented with an update report that outlined additional comments received. Egglecliffe Parish Council had submitted a further letter of objection in relation to the scheme.

The Councils Historic Building Officer had confirmed that the existing garage on the site was at its earliest a 1930's structure, built relatively simply and subject to alteration.

The Urban Design Team had made further comment on the amended plans indicating that the precise design and layout of the access into the site would benefit from marginal amendment in order to subdue its impact. Furthermore it was considered that the replacement wall along the front of the site could impact protected trees as a result of its foundations.

The Environmental Health Team considered conditions relating to construction hours and sound insulation between flats would be necessary as well as contaminated land conditions.

The Councils Environmental Development Officer had advised that the commuted sum in lieu of adequate on site formal and informal amenity space could be used towards environmental and recreational improvements in the vicinity of St Margarets Play Area.

Comments had also been received from Natural England who advised that the proposal was unlikely to have an adverse affect in respect of species especially protected by law, subject to the imposition of a condition.

In view of the above the update report outlined the proposed amendment to condition 6 of the main report and also additional conditions relating to the layout of the access road and footpaths, contaminated land and protected species.

Members of the Committee raised concerns over the proposal in relation to the distance of the proposed South West Block to the existing houses on Croft Road. Members considered that in order to fully appreciate the site in relation to the application that it would be beneficial to have a site visit.

A representative from Egglecliffe Parish Council was in attendance at the meeting and objected to the proposal.

Two residents were in attendance and objected to the proposal.

The agent for the application was in attendance at the meeting and addressed the Committee.

RESOLVED that planning application 07/1698/FUL be deferred for a site visit.

Councillor Mrs Maureen Rigg declared a personal/non prejudicial interest in the above item due to being a member of Egglecliffe Parish Council.

**P
47/07**

07/1650/ARC

**Vopak Terminal Teesside Limited, Seal Sands Road
Application under Section 73 to alter condition no. 1 (approved plans) of
planning approval 06/1918/EIS for Erection of renewable fuels plant with
associated infra-structure and utilities work, admin building and
workshops, roads, pipe bridges and car parking.**

Consideration was given to a report that sought permission to alter condition 1 (approved plans), under section 73, of planning approval 06/1918/EIS. Approval was sought for changes to the approved layout of the site resulting from both design and operational changes. The main operational change was that biodiesel would be produced on the site from the derived vegetable oil instead of being transported off site for processing.

Planning permission was granted in October 2006 to erect buildings, plant, equipment with a new access and car parking as a renewable fuels plant to produce rapeseed oil and meal on a site at Seal Sands. The oil would be used to produce biodiesel at off-site facilities and the meal as fuel for power production. The biodiesel would be used instead of ordinary diesel as a cleaner renewable energy source. Because of the nature of the proposal the application was the subject of a formal Environmental Impact Assessment. This did not reveal any significant environmental concerns with the operation, and any adverse impacts could be mitigated with their implementation secured by planning conditions.

An "Appropriate Assessment" had been carried out in accordance with the Habitat Regulations 1994 and agreed with English Nature (now Natural England).

Members were advised that the main planning considerations were whether the internal re-arrangement of plant and buildings on the site was acceptable and whether there were any adverse environmental effects arising from process changes particularly in respect of the potential impact on the local ecology given that the site was close to the Seal Sands SSSI, which was part of the SPA and Ramsar site. It was noted that the views of Natural England were awaited.

Members considered that, subject to no objections being received from Natural England, the proposal was acceptable.

RESOLVED that subject to receiving no objections from Natural England application 07/1650/ARC be approved subject to the following conditions below:

In the event an objection is received from Natural England, the application be refused.

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

Plan Reference Number Date on Plan
SBC0001 31 May 2007
052300/PL/002 7 June 2007
052300/PL/004 7 June 2007
052300/PL/005 7 June 2007
052300/PL/006 7 June 2007
052300/PL/007 7 June 2007
052300/PL/008 7 June 2007
052300/PL/009 7 June 2007
052309/004 31 May 2007
052309/005 31 May 2007
052300/PL/01 Rev A 26 July 2007
052300/PL/03 Rev A 26 July 2007

2. The permission hereby granted shall have the effect of varying condition No 1 of 06/1918/EIS in respect of the approved plans, which shall be implemented in accordance with the plans approved by the permission hereby granted. All other conditions of 06/1918/EIS shall remain in force.

**P
48/07**

07/1774/ARC

Port Clarence Landfill Site

Application to vary Condition 11 of Planning Permission 94/1049/P (TDC94/065) to extend landfilling operating hours to 24 hours at Port Clarence landfill site for the disposal of waste transported by boat.

Consideration was given to an application that sought permission to vary Condition 11 of Planning Permission TDC/94/065 to allow 24-hour waste disposal for soils specifically transported by boat at Port Clarence Landfill Site. The site, was located near the banks of the River Tees at Port Clarence.

It was explained that the site had planning permission for the disposal of hazardous and non-hazardous waste, and currently all wastes were delivered to the site by road.

It was noted that condition 11 had been 'varied' twice previously. In July 2003, temporary planning permission for a period of 3 months was granted to allow the site to accept non-hazardous chemical waste from Huntsman's Greatham Works. The Company justified this change because the chemical site was a 24-hour operation, which necessitated waste transfer at weekends comprising 10 loads on Saturday afternoon and a similar amount on Sunday mornings. The trial was successful and the Company then applied and were granted a permanent variation in 2004. Members were provided with the wording of the current controlling condition in respect of working hours.

It was explained that the application had been advertised on site, in the local press and neighbours notified individually. One email had been received from Alistair Campbell of Petroplus Refining querying the proposed lorry route.

No objections had been received from consultees or neighbouring users. The

Ward Councillor, J O'Donnell had "no problems" with the proposed development.

Members were advised that the principle of the use of the site for landfill had been established and was unaffected by the proposal. The proposal sought to confine the transportation of the additional waste material specifically to the River Tees, which in accordance with national and local policy would not result in an increase in road traffic.

On the whole Members considered that the proposal was acceptable and that it was unlikely to have an adverse impact on neighbouring uses. It was considered that the proposal would assist in the timely completion and restoration of the site. Wider site operations would continue to be controlled by the existing range of licences and permits administered principally by the Environment Agency. It was noted that the concerns of the Environmental Health Unit regarding noise and lighting could be controlled by condition.

RESOLVED that application 07/1774/ARC be approved subject to the following conditions:

1. The permission hereby granted shall have the effect of varying condition No 11 of TDC/94/065 as follows:

"The hours for the deposit of waste at the site shall be between 0715 and 1800 hours Monday – Friday, 0745 hours and 1800 hours on Saturday and 0745 hours and 1300 hours on Sunday with no waste being deposited on Bank Holidays except with prior approval in writing of the Local Planning Authority or in an emergency; details of which shall be notified to the Local Planning Authority within 5 working days thereafter."

The hours for the deposit of waste transferred to the site via boat from the River Tees and then by vehicle to the site using the route shown as "wharf access route" on Drawing no AU/PC/06-07/13568 shall be 24 hours each day Monday to Sunday (inclusive)."

And imposing an additional condition as set out below:

2. "Prior to installation, a scheme for the design and location of all fixed buildings, structure, plant and illumination, including a scheme for noise insulation of buildings, structure and plant, required in connection with the development shall be submitted to, for consideration and approval by the Local Planning Authority. The approved scheme shall thereafter be implemented in full and maintained for the life of the development hereby permitted unless, with the prior written approval of the Local Planning Authority. "

**P
49/07**

- 1. Appeal - Mr W Gate - 53 Worsall Road Yarm TS15 9EB - 06/3695/COU - DISMISSED**
- 2. Appeal - Zabeir Ishaq - 17 Howden Walk Stockton-on-Tees TS18 1QH - 06/3150/FUL - ALLOWED**
- 3. Appeal - Mr & Mrs D Thompson - 10 Brisbane Grove Stockton-on-Tees TS18 5BN - 06/3019/OUT - DISMISSED**
- 4. Appeal - Mr A Noor - 90 Durham Road Stockton-on-Tees TS19 0DG - 06/2330/COU - ALLOWED**

5. Appeal - Mr And Mrs Bell - 7 Butts Lane Egglescliffe Stockton-on-Tees - 06/2201/X - DISMISSED

6. Appeal - Mrs B Brennan - 5 And 6 Manor Drive Hilton Yarm - 06/3194/X - DISMISSED

RESOLVED that the information be noted.