

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 31st October, 2007.

**Present:** Cllr Roy Rix (Chairman), Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr David Coleman (vice Cllr Paul Kirton), Cllr John Gardner, Cllr Miss Tina Large, Cllr Ross Patterson, Cllr Mrs Maureen Rigg, Cllr Fred Salt, Cllr Mick Stoker

**Officers:** B Jackson, C Straughan, J Hall, P Shovlin, R McGuckin, J Roberts, C Snowdon (DNS); S Johnson, J Butcher (LD)

**Also in attendance:** Councillor Mohammed Javed; applicants, agents and members of the public

**Apologies:** Cllr David Harrington, Cllr Paul Kirton, Cllr Steve Walmsley

### **P 79/07**      **Declarations of Interest**

Councillor Rix declared a personal/non-prejudicial interest in the item entitled 07/2360/OUT - Land at Boathouse Lane, (Northern Machine Tools Engineering), Stockton-on-Tees - Outline application for residential development including restaurant, riverside walkway and emergency access, due to being a member of the Ramblers Association.

Councillor Mrs Rigg declared a personal/non-prejudicial interest in the item entitled 07/2437/OUT Land at Urlay Nook, Urlay Nook Road, Eaglescliffe - Outline application for industrial estate comprising the erection of B2 and B8 use class units and associated means of access, due to being a member of Tees Valley Wildlife Trust and Egglecliffe and Eaglescliffe Parish Council.

### **P 80/07**      **Minutes of the meetings held on 29th August 2007 and 19th September 2007 - for signature**

The minutes of the meetings held on 29th August 2007 and 19th September 2007 were signed by the Chairman as a correct record.

### **P 81/07**      **07/1927/FUL Plot J Bowesfield Farm Stockton Residential development of 32 apartments and 4 no. houses with associated car and cycle parking refuse store and private residents garden**

Consideration was given to a report that sought planning permission for the erection of 32 apartments with 48 parking spaces, four houses and garages, refuse and cycle store, landscaping and a small residents garden. The site was located at Bowesfield Farm, Stockton. It was explained that a combined pedestrian/vehicular access would be taken from Brooklime Avenue to the west, with a single pedestrian link to the east and Water Avens Way through the resident's garden. Planting proposals were not detailed in the submission, but boulevard trees were to be retained and some internal soft landscaping was shown.

Two representations had been received objecting and commenting on the original proposal in respect of traffic generation, the scale of development, type of development, and that that the site should be open space.

It was noted that there were no objections arising from consultees, although

conditions were suggested in respect of noise disturbance between living accommodation, noise disturbance from adjacent road traffic, land contamination, and construction noise (working period), noise insulation, surface water drainage and floor levels contaminated land.

It was noted that the Council's Urban Design Manager did not object to the proposal on highway and landscape grounds but required further information and suggested conditions.

In response to the Officer's concerns, the applicant had reconsidered the layout and had submitted an amended drawing, showing minor changes to the original plan to provide an improved turning space, soft landscaping, parking arrangements (and a consequent reduction of the area set aside for a Residents Garden) and bin stores.

It was noted that following a short internal consultation on the minor amendments shown on the new drawing, no objections had been received.

An update report was presented to Members which outlined that an amended layout plan had been received, a copy was provided for Members. The applicant had also submitted revised house types and these were detailed as part of the update report. The update report also provided Members with a copy of the Bowesfield Masterplan for information. It was noted that the Urban Design Manager had no objections in terms of Highways and Landscape matters subject to the conditions set out in the main report.

Members were advised that any permission granted would necessitate an amendment to the Masterplan for Bowesfield Park, which could be dealt with as a separate matter.

On the whole Members considered that the proposal was acceptable. It was considered that the proposed development was acceptable in terms of scale and character of the development, its impact in landscape and visual amenity, access and highway safety considerations, that it would not have an adverse impact on the amenity of existing and future residents, and was acceptable in flood risk terms.

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

RESOLVED that:

A) Planning application 07/1927/FUL be approved subject to conditions in respect of approved documents, noise disturbance from adjacent road traffic, land contamination, construction noise (working period), hard and soft landscaping, maintenance of landscaping, levels, means of enclosure, lighting, cycle parking, surface water drainage, details of internal footways, detail of disabled parking, external surface finishes, refuse hardstanding, vehicle and pedestrian access, turning areas, and floor level set above 9.3 metres AOD, details of the retaining wall, and any other conditions as appropriate.

B) H J Banks be advised that the Council would not entertain further residential development on the site and any further revision to the masterplan in this respect would be declined.

**P  
82/07**

**07/2440/REV  
Hilton House Farm, Manor Drive, Hilton  
Revised application for construction of public fishing lakes and  
associated car parking.**

Consideration was given to a report that sought planning permission for the creation of two fishing lakes and a wildlife pond. Ancillary development included an access, car park, portals and a storage cabin, whilst landscaping and earthworks were also proposed. The site was located at Manor Drive, Hilton.

It was noted that letters of objection and support had been received in respect to the proposed development. The main points of objection related to noise generation, highway safety, intensification of traffic and potential flooding of adjoining areas. The main points of support related to the benefits of such a use in this location to the local community and for wildlife.

It was explained that the use related to land based recreation, the principle of which was supported by both local and national planning policy. The use was immediately adjoining a village which was served by public transport and was within close proximity to large urban areas.

Members were presented with an update report that outlined that a revised site layout plan had been submitted, a copy of which was provided for Members. The car park had been curved around the lower of the lakes with additional mounding being placed to both sides. A footpath had been repositioned which linked the site to the adjoining bus stop. This was initially shown passing through the land of the adjoining property, which the applicant advised was a diagrammatic error. The update report also included an amendment to the approved plans condition to reflect the latest submission and an additional condition to prevent a future change of use of the site.

Members of the Committee considered that the proposal was acceptable and that it was a suitable use for an edge of village. The proposal was considered to adequately provide for its anticipated demand through the provision of access, parking and wc's. It was considered that the development would not unduly compromise the privacy or amenity of adjoining properties, because of distances from adjoining properties, the scale of the development and further mitigation measures through structure planting proposed as part of the scheme.

RESOLVED that planning application 07/2440/REV be approved subject to:-

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            14th August 2007  
NW6 – 003 – P01 rev J 25th October 2007

2. No works shall commence until an assessment of the affect of the development on the hydrogeology and hydrology of the area has been prepared by a suitable qualified person. The findings of this assessment shall be agreed in writing and any identified programme of works implemented to the

satisfaction of the Local Planning Authority.

3. No works shall commence until full details of the design of the lakes and their methods of filling and discharge has been agreed in writing with the Local Planning Authority. The lakes shall be constructed and maintained in accordance with the approved details.

4. No development shall commence until the developer has produced a bird management plan and the plan has been submitted to and approved in writing by the Local Planning Authority. The site shall be operated in accordance with the approved management plan.

5. Notwithstanding details hereby approved, the access track and car park associated with the development shall be laid out and surfaced in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained for the duration of the use of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

6. No development hereby approved shall be brought into use until a footpath has been provided in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority linking the site to the bus stop to the east of the access. The submitted details shall indicate the precise location of the path and its construction detail.

7. The barrier at the site access shall be maintained in an operational state at all times and shall be in a horizontal position, preventing vehicular access into the site during times when the site is not open to visiting members of the public.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for landscaping. Such a scheme shall detail the following;

- a) Hard and soft landscaping, including hedgerow planting adjacent to the access and screen planting within the south eastern corner of the site.
- b) Soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

The development shall be carried out in accordance with the approved details. Planting works shall be carried out prior to the development being brought into use 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.

9. No external lighting shall be used at the site other than that which is in accordance with a scheme of external lighting to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details such as number of lights, locations, methods of shielding glare and the lumens intensity of the light.

10. Notwithstanding details hereby approved, the development shall not be brought into use until all pumps and other mechanical parts associated with the development have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details

shall include the pump specification, noise emission details and method of noise attenuation where necessary.

11. All works involving the removal or moving of hedgerows shall not occur during the period 1st March to the 31st July inclusive.

12. The use hereby approved shall not be open to visiting members of the public outside the hours of 6:00a.m. to 8:00 p.m.

13. The site shall hold no more than one organised event in any calendar month.

14. Notwithstanding details hereby approved, the precise design and colour of the access barrier, portaloo and cabin shall be submitted to and approved in writing by the Local Planning Authority prior to the structures being placed on site. The approved details shall be maintained in perpetuity.

15. Within 3 months following cessation of the use hereby approved the portaloo and cabin and their associated bases, pipe work and tanking shall be removed from site.

16. This consent relates solely to the use of the land for coarse fishing within the two lakes identified on the approved plans and for no other purpose (including any other purpose in Class D2 of the Town and Country Planning Use Classes Order 2005 or any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

**P 07/2360/OUT**  
**83/07 Land at Boathouse Lane, (Northern Machine Tools Engineering), Stockton-on-Tees**  
**Outline application for residential development including restaurant, riverside walkway and emergency access.**

Consideration was given to a report that sought outline planning permission for a residential led mixed-use development of part of the greater Boathouse Lane area. The application was in outline with all matters reserved except for access, scale and landscaping. The site was located on land at Boathouse Lane, (Northern Machine Tools Engineering), Stockton-on-Tees.

The proposal was to redevelop the 1.88 hectare site and establish the principle of residential development. The application was supported by an indicative built form Masterplan that provided a detailed layout of the scheme and was not be considered as a final proposed layout of future residential development of the site. The illustrative site layout showed provision of 118 dwelling units. Also supporting the application was a Transport Assessment, Noise Assessment, Planning Statement, Flood Risk Assessment, Site Investigation and Risk Assessment, Ecological and Archaeological Evaluation, Air Quality Assessment, Residential Travel Plan and Design and Access Statement.

It was explained that the site occupied an important riverside location and formed part of a larger site known as Boathouse Lane. Given the important riverside gateway location, the Council had prepared a planning and design

brief to guide future development on the site and surrounding area, which was formally adopted as a Supplementary Planning Document (SPD) in 2006. Importantly the brief sought to deliver a high quality and commercially successful mixed-use development including residential development for the area through an established Masterplan and agreed design principles.

Members were advised that the key objectives of the document were:

- To ensure the appropriate, comprehensive redevelopment of a key River Tees corridor site within the wider context of the Stockton Middlesbrough Initiative;
- To create a Gateway into the town centre, including a regionally - significant landmark building;
- To create a diverse, attractive and exciting place to live work and visit;
- To ensure high quality urban design, which maximised the potential use of the water frontage location;
- To protect and enhance the natural and historic environment;
- To improve linkages with surrounding land uses.

Members considered that the principle of residential development was acceptable in this location. Overall the nature and scale of the development was acceptable and it was considered that the site could satisfactorily accommodate the residential proposal.

RESOLVED that planning application 07/2360/OUT be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the conditions:

In the event of there still being outstanding matters with the legal agreement by 6th November 2007 that the application be refused.

## SECTION 106 AGREEMENT

### Heads of Terms

#### School Places

1. The rate of contribution required from developers for school places would be £8,000 x 0.26 = £2,080 per family home. (i.e. homes with two or more bedrooms).

Payment of developer contributions should be made at the commencement of development.

The calculation to reflect a discount of £8,000 per vacant place in St. Cuthbert's, Bowesfield and Oxbridge Lane Primary Schools as recorded within the Annual School Census current at the time payment is due, subject to a pro-rata allocation of this discount amongst other planned development within the local area (Planned developments being proposed residential developments which have at least reached the planning application stage). Local Authority to provide within one month of a request being made its confirmation of the applicable discount by reference to the Annual School Census and specific details of other developments to benefit from the discount.

Contribution to be held in an interest-bearing account. Payment to be used for the purposes identified within 5 years of payment being made or otherwise

returned together with the interest accrued.

2. A commuted lump sum of £22,000 for the provision of public transport infrastructure.

3. A commuted lump sum of £87,000 by way of a contribution towards improvements to land adjacent South Stockton Link Road.

4. A commuted lump sum of £15,200 for improvements to the riverside footpath/cycleway including river retention as required.

5. A commuted lump sum based on calculation for the maintenance of trees and soft landscaping in the adopted highway.

6. Provision for Public Art either by way of commuted lump sum or provision by the developer to a value of 1% of the total cost of the construction of the buildings within the development. Such total cost to be calculated using, in relation to the cost of construction of residential dwellings, the average construction cost of the residential dwellings; and in respect of non-residential buildings the actual basic construction cost of each such building.

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.

Plan Reference Number Date on Plan

Pod-sw-o-001-12-01 26 June 2007

Pod-sw-o-001-10-03 18 July 2007

2. 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.

3. Approval of details of the appearance of the buildings and layout of the site shall be in accordance with the details of the scheme to be submitted to and approved by the Local Planning Authority before the development commences.

4. The development hereby permitted shall be begun either before the expiration of three 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.

5. The development shall be implemented in general conformity with the approved "Illustrative Built Form Masterplan" and Design and Access Statement submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority. Nothing in this consent shall be construed as authorising the illustrative details submitted with the application other than the means of access and scale for which approval was sought.

6. The total amount of residential units as authorised by this permission shall not following the issue of the permission hereby granted exceed 118 dwellings.

7. 15% of the residential units hereby approved shall be affordable and provided in the form of shared ownership and/or shared equity. As part of an application for reserved matters, details shall be submitted for approval of the Local Planning Authority of a scheme for the provision of affordable housing on the site. The submitted scheme shall include details of the following, as appropriate:

- i) the delineation of the area or areas of the site upon which the affordable dwellings will be constructed;
- ii) the type and size of affordable dwellings to be provided;
- iii) the arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;
- iv) the phasing of the affordable housing provision in relation to the provision of open market housing on the site;
- v) Occupancy criteria and nomination rights in relation to identified housing need.

8. Prior to the occupation of the development hereby approved an emergency access for the development shall be constructed in accordance with a detailed scheme to be submitted and approved in writing by the Local Planning Authority.

9. Development shall not be commenced until details of the lighting columns, light colour and luminance, including the arrangements for the riverside and parking courts, have been submitted and approved in writing by the Local Planning Authority.

10. Notwithstanding the submitted information a Residential Travel Plan shall be submitted to the Local Planning Authority and approved in writing prior to commencement of the development. The Plans shall establish clear targets and procedures for monitoring and review of such targets and implementation timetable. The Plans shall be implemented as approved.

11. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority

1. A desk study identifying:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures



required and how they are to be undertaken.

4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

13. Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

14. No development shall take place until a scheme for the boundary treatment adjacent to the River Tees has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans prior to the substantial completion of the development.

15. Notwithstanding the submitted information details of the proposed riverside retention including calculations and maintenance shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. These works shall be completed in accordance with the approved scheme.

16. Finished floor levels shall be set at 5.1 m AOD plus 600m freeboard unless otherwise agreed in writing with the LPA.

17. The proposed development is situated within 250 metres of an old landfill site. No development approved by this permission shall be commenced until the site is investigated to determine the nature and extent of landfill gas.

The site investigation and risk assessment report shall be carried out in accordance with Guidance on Evaluation of Development proposals on sites where methane and carbon dioxide are present [NHBC March 2007] and CIRIA document C659

Any necessary remediation to be carried out in accordance with an approved method statement to be agreed in writing with the Local Planning Authority.

18. No development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO<sub>2</sub> emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development

for so long as the development remains in existence.

19. No development shall take place unless in accordance with the mitigation detailed within the protected species report, (An Extended Phase 1 and Protected Species Survey of Land at Boathouse Lane Stockton on Tees, E3 Ecology 21/11/2006).

20. Development shall not be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space within the site by the developer, as part of the development, and such arrangements shall address and contain the following matters:

- A) The delineation and siting of the proposed public open space
- B) The type and nature of the facilities to be provided within the public open space
- C) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development
- D) The arrangements the developer shall make for the future maintenance of the Public Open Space
- E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part C) above.

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

22. 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.

23. All means of enclosure including any requirement for earthwork retention and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.

24. Notwithstanding the submitted plans a detailed scheme for landscaping and tree and/or shrub planting and grass including planting and construction techniques for pits in hard surfacing and root barriers 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 stock types, stock sizes and species, planting densities, inter relationship of planting, 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.

25. A hard and soft 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. Landscape maintenance shall be detailed for the initial 5 year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

26. Further details of the paving, lighting, and riverside fencing, footpath construction and materials relating to the Riverside Walkway and their future maintenance shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development. The works shall be carried out as approved prior to the substantial completion of the development.

27. Prior to the dwellings being occupied, facilities for secure and covered cycle parking shall be provided on the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such facilities will be retained for the purposes of parking cycles.

28. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

29. No live entertainment or use of amplification equipment shall be permitted within the Restaurant curtilage unless evidence is provided to the reasonable satisfaction of the Local Planning Authority, to demonstrate that the Restaurant is adequately attenuated to prevent nuisance to local residents and the written confirmation of the Local Planning Authority has first been obtained.

30. The opening hours of the Restaurant shall be solely between the hours of 8am and 11pm and the premises and its curtilage shall be vacated outside that period.

31. Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

32. Before the commencement of the development hereby permitted, a noise assessment and scheme for the protection of the proposed dwellings from noise from the adjacent commercial units shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied. Such a scheme shall provide for acoustic fencing and mounding, acoustic double-glazing and mechanical ventilation to first floor bedrooms as necessary.

33. 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 facade 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.

34. Details of a ventilation and fume extraction system, suitable for all hot takeaways uses within class A3, including a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment, to be installed and used at the Restaurant premises in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the development hereby permitted commences and thereafter by retained in full accordance with the approved details. The ventilation and extract system shall be operated and maintained in accordance with the manufacturer's recommendations including the frequency of replacement of any filters.

35. The drainage system to the Restaurant premises shall be provided with a suitable grease trap so as to prevent the discharge of grease into the public sewer.

36. Prior to the commencement of development A Road Safety Audit in line with national guidance, should be undertaken in order to inform the Highway Authority on the safe operation of the proposed development, and shall be submitted to and agreed by the Local Planning Authority. The findings of the report will be implemented as approved.

Councillor Rix declared a personal/non-prejudicial interest in the above item due to being a member of the Ramblers Association.

**P 07/2437/OUT**  
**84/07 Land at Urlay Nook, Urlay Nook Road, Eaglescliffe**  
**Outline application for industrial estate comprising the erection of B2 and B8 use class units and associated means of access.**

Consideration was given to a report that sought outline planning permission for access arrangements, layout and scale of the development for industrial development on land at Urlay Nook Road, with appearance, and landscaping reserved for future consideration. The submission was accompanied by a Design and Access Statement, Transport Assessment, Flood Risk Assessment and Tree Survey.

It was explained that the proposed development comprised 17 units for general industrial use (B2 use) and 13 for storage and distribution (B8). Access to the wider highway network was via a new access in the eastern wing of the site onto Urlay Nook Road. Landscaping and a new footpath link were proposed and a potential rail link was shown on the proposed layout and two new bus stops would be provided.

It was noted that the site was within the limits to development identified in the Stockton on Tees Local Plan and was identified in Policy IN2 (o.) as a site for general industry and storage and distribution.

Eighty four representations had been received objecting to the proposal and commenting generally on matters relating to the principle of development, loss of amenity, visual impact and landscape, nature conservation, air, noise, light and water pollution, access and highway safety.

It was noted that, whilst there were no objections to the proposal from external consultees, further information was required by the Council's Highway Engineer and the Environment Agency. The Landscape Officer objected to the current layout and had provided an indication of how the visual impact of the proposed development could be ameliorated. The submission lacked fundamental information in respect of nature conservation interests, which was vital to the determination of the application, particularly bearing in mind the proximity of protected species.

It was noted that to date, the comments of Darlington Borough Council, as neighbouring authority, had not been received, and again this was vital particularly in terms of highway matters to the assessment of the proposal.

Members were advised that the Council's Highway Engineer had requested commuted sums, which could only be secured by Section 106 agreement. Whilst the applicant had indicated a willingness to enter into such arrangements the Heads of Terms had not been agreed.

Members were presented with an update report. The report set out a summary of a further letter of representation and updated the list of addresses from which representations had been received. The report also addressed the comments of One North East (ONE) in terms of the impact of the proposal on the regeneration of Durham Tees Valley Airport (DTVA). ONE had placed the onus on the Council to satisfy themselves that the proposal would not have an adverse impact on the regeneration initiatives at DTVA. The applicant had been asked to provide further information in order to allow the Council to make an assessment but to date no information had been received. The update report set out a further reason for refusal based on the lack of information in respect of the likely impact on the regeneration of DTVA.

Members considered that given the outstanding requirements for information and clarification that the proposal as it stood was not acceptable. Members considered it prudent to refuse planning permission on the grounds that insufficient information had been provided in respect of highways, parking and access arrangements, nature conservation interests, drainage, public rights of way, lack of Section 106 agreements to secure highway works, and the unacceptable adverse impact on landscape and visual amenity.

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

A resident was in attendance and objected to the proposal.

RESOLVED that planning application 07/2437/OUT be refused for the following

reason(s):-

1. Insufficient information has been provided in respect of a travel plan framework, trip rates, traffic routeing, network capacity and design, vehicle and cycle parking, and manoeuvring to enable a full assessment of the proposal in respect of the likely impacts on access and highway safety, contrary to policies GP1, TR15 and Supplementary Planning Document 3: Parking Provision for New Developments
2. Insufficient information has been provided in order to assess the likely impact of the proposal on protected species and nature conservation interests contrary to policy GP1 of the adopted Stockton on Tees Local Plan and advice given in Planning Policy Statement 9 Biodiversity and Geological Conservation.
3. Insufficient information has been provided in respect of the level and detail of the impact of the development upon Public Right of Way Footpath No 7 to enable an assessment of the impact of the development on that Public Right of Way contrary to Policy GP1 of the adopted Stockton on Tees Local Plan.
4. Insufficient information has been provided in respect of surface water drainage to enable an assessment of the impact of the development on water resources contrary to advice given in Planning Policy Statement 25: Development and Flood Risk
5. In the opinion of the Local Planning Authority, the proposed development would by virtue of the layout and scale would have an unacceptable visual impact contrary to policies GP1 and IN2 of the adopted Stockton on Tees Local Plan.
6. In the opinion of the Local Planning Authority, the proposed development does not adequately provide for contributions to public transport facilities and traffic regulation orders (weight limit restriction) contrary to Policy GP1 of the Stockton on Tees Local Plan.
7. Insufficient information has been provided in respect of the likely impact of the proposal on the development objectives for the Durham Tees Valley Airport to enable an assessment as to adverse or otherwise impact at the Durham Tees Valley Airport, contrary to the policy objectives of emerging Policy 18 of Regional Spatial Strategy and Policy TR21 of the Adopted Stockton on Tees Local Plan.

Councillor Mrs Rigg declared a personal/non-prejudicial interest in the above item due to being a member of the Tees Valley Wildlife Trust and Egglecliffe and Egglecliffe Parish Council.

**P  
85/07**

**07/2403/FUL  
5 Springfield Avenue, Stockton  
Two-storey extension to side, single storey to rear and new access.**

Consideration was given to a report that sought planning permission for the erection of a two-storey side extension and single storey rear extension and the application included proposals for a new access and hard standing parking area. The application site was a semi-detached dwelling located on the corner

of Springfield Avenue and Hazeldene Avenue.

The planning application had been publicised by means of individual letters and objection letters had been received from 13 properties.

It was noted that the main planning consideration related to highway safety, visual impact and any impact on the amenity of the occupants of neighbouring properties.

Members raised concerns over the use of the hardstanding area. It was explained that any misuse of the hardstanding area could be addressed through enforcement. On the whole Members considered that the proposal was acceptable.

Councillor Javed was in attendance at the meeting and spoke on behalf of the applicant.

A resident was in attendance and objected to the proposal.

RESOLVED that planning application 07/2403/FUL be approved with conditions subject to:-

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

1A 13 August 2007

SBC0001 10 August 2007

1 10 August 2007

1B 25 September 2007

2. Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

3. Prior to the development, hereby approved, being brought into use, the proposed hard standing parking area shall be provided, in accordance with the details indicated on approved plan 1B. The proposed parking shall then be retained for the life of the development.

**P**  
**86/07**

**07/2319/ARC**

**Bishopsgarth Cottages, Darlington Back Lane, Stockton**

**Application under section 73 to amend condition no.2 (approved plans) of planning approval 06/0461/REV**

Members were presented with an update report that outlined that three requests had been made from Local Councillors for a committee site visit, considering that the application related to a matter of principal and that the scheme had deviated from the initial approval and concept for the site.

RESOLVED that planning application 07/2319/ARC be deferred until members of Planning Committee have made a site visit and that the application be placed before the next available planning committee for determination following the site visit.

**P  
87/07**      **ALTERATION TO THE SCHEME OF DELEGATION AND COMMITTEE SITE VISITS**

Members considered a report that presented the proposed alterations to the scheme of delegation and set out the criteria for site visits. The Government had set out an agenda for the delivery of a planning service appropriate for the 21st century through the Planning and Compulsory Purchase Act 2004, the Barker Review of Land Use Planning, and laterally, the White Paper-Planning for Sustainable Futures. It was noted that the delivery of an expedient customer responsive service played an important part in CPA rankings and in attracting financial income through the award of Planning Delivery Grant (PDG).

It was explained that as part of the whole service review, an extended scheme of delegation was introduced in January 2004, and improvements made to Planning Committee such as a change in venue and the introduction of public speaking. In addition there was a reduction in the need for site visits by making greater use of IT display technology and digital photographs.

Furthermore, an IDea peer review was subsequently undertaken of the service and both a report and comprehensive Service Improvement Plan published in April 2007. A number of areas for improvement were highlighted, including the need to update the scheme of delegation, and the onerous requirement for signing off decisions. Members were advised that these issues had been carried forward into the Service Improvement Plan, which was approved by Cabinet and Full Council on 28th March 2007.

Members of the Committee discussed the report and raised concerns in relation to the number of letter/emails received contrary to the officers recommendations, the weight given to comments from Ward Councillors, signing off applications and public speaking at site visits.

Members considered that it would be beneficial to discuss the report at a special Planning Committee meeting prior to it's submission to Cabinet.

Proposed by Councillor Beaumont and seconded by Councillor Large that a special meeting of the Planning Committee be arranged to discuss the alteration to scheme of delegation and committee site visits report.

RESOLVED that a special Planning Committee meeting be arranged to discuss the alteration to scheme of delegation and committee site visits report.

**P  
88/07**      **PLANNING PERFORMANCE**

Members considered a report that provided an update on the current performance of the planning department for the second quarter of 2007/2008. An update on the current staffing situation in the planning department was also presented.



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

RESOLVED that the quarterly performance report be noted.

**P**            **DRAFT PLANNING GUIDANCE ON THE VALIDATION OF PLANNING**  
**89/07**       **APPLICATIONS**

Consideration was given to a report that invited the Planning Committee to note and endorse the interim document to assist officers of Stockton Planning Services in the validation of planning applications and to enable consultation with interested parties as recommended by Central Government. It was noted that Members considered a report in 2006 for interim supplementary planning guidance as outlined in the ODPM publication Best Practice Guidance on the Validation of Planning Applications. However, the Government changed its mind that it was not appropriate to produce local guidance under a Supplementary Planning Document

It was explained that the Government now intended to amend the Town and Country (General Development Procedure) Order 1995 (the GDPO) to introduce a mandatory standard application form and associated information requirements for validation of applications, from 6 April 2008. Different types of application and scale of applications would require different levels of information and supporting documentation to be submitted. However, in all cases the requirements would be specified by the local planning authority. Members were advised that under the new arrangements, these would comprise a national core list that would apply in all cases and additional items specified locally from a list provided by central government

It was explained that the purpose of the document was to outline the compulsory requirements of the Local Planning Authority and possible additional requirements for various planning applications in order for the Local Planning Authority to consider them as 'valid' planning applications. This was aimed at enabling the Local Planning Authority to have sufficient information to confidently determine planning applications from the outset, in order to provide a fast and efficient planning service.

Members of the Committee discussed and welcomed the report.

RESOLVED that:-

1. Officers consult on the Validation of Planning Applications as detailed in the report.
2. The results of the consultation and analysis of representations made be duly considered and reported back to the Planning Committee for formal resolution and adoption of the local list.

**P**            **1. Appeal - Mandale Commercial - 30 Dovecot Street**  
**90/07**       **Stockton-on-Tees TS18 1LN - 06/3800/COU - DISMISSED**

RESOLVED that the information be noted.

