

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 9th April, 2008.

**Present:** (Meeting) Cllr Roy Rix(Chairman), Cllr John Gardner(Vice-Chairman), Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr David Coleman (vice Cllr Jim Beall), Cllr Robert Gibson, Cllr Miss Tina Large, Cllr Mrs Maureen Rigg, Cllr Steve Walmsley

(Site Visit) Cllr Roy Rix(Chairman), Cllr Mrs Jennie Beaumont, Cllr David Coleman (vice Cllr Jim Beall), Cllr Robert Gibson, Cllr Miss Tina Large, Cllr Bill Noble, Cllr Mrs Maureen Rigg, Cllr Steve Walmsley

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

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

**Also in attendance:** Applicants, agents, members of the public, Cllr Fred Salt

**Apologies:** (Meeting) Cllr Hilary Aggio, Cllr Jim Beall, Cllr David Harrington, Cllr Paul Kirton, Cllr Bill Noble, Cllr Ross Patterson

(Site Visit) Cllr Hilary Aggio, Cllr Jim Beall, Cllr Phillip Broughton, Cllr John Gardner, Cllr David Harrington, Cllr Paul Kirton, Cllr Bill Noble, Cllr Ross Patterson

### **P**      **Declarations of Interest** **1/08**

Councillor Mrs Beaumont declared a personal non prejudicial interest in the item entitled 07/3339/EIS Land off Green Lane, Yarm -Proposed 18 no. golf course with associated car parking and outline application for the erection of club house and driving range due to being a member of Castle Leavington and Kirklevington Parish Council.

Councillor Mrs Rigg declared a personal non prejudicial interest in the item entitled 08/0124/FUL Land At Urlay Nook Road,Eaglescliffe, Stockton On Tees - Revised application for the erection of storage warehouse and ancillary parking due to being a member of Egglecliffe and Eaglescliffe Parish Council.

Councillor Rix declared a personal non prejudicial interest in the item entitled 07/3339/EIS Land off Green Lane, Yarm - Proposed 18 no. golf course with associated car parking and outline application for the erection of club house and driving range due to being a member of the Ramblers Association.

### **P**      **08/0407/REV** **2/08**    **Highfield View, Aislaby Road, Eaglescliffe** **Retrospective change of use of agricultural buildings and land to racing greyhound kennels, training and exercise area. Erection of security light and camera.**

Consideration was given to a report that sought retrospective planning permission for the use of land and buildings as a greyhound training and accommodation facility. The proposal included the use of 2 former barns, the introduction of hard surfacing, steel containers, external pens, an access track and other ancillary development. The site was located at Highfield View, Aislaby Road, Eaglescliffe.

It was explained that retrospective permission was previously sought for the same use of the site under application 07/2687/FUL which was refused under delegated powers on the 10th December 2007. The application was refused for reasons related to there being no justification for the use in the location, adverse impacts on highway safety, unacceptable detrimental impact on the character of the area and the use placing a likely demand for residential accommodation on the site in the future. It was advised that since the refusal of the application the applicant had removed several structures and items from the site, constructed a business case for the proposal which had previously been considered to be a hobby and detailed access works in an attempt to overcome the previous reasons for refusal.

Numerous correspondence had been received with respect to the proposal including letters of support, objection and general comment. Comments of support generally indicated that the use was a welcome addition to the area, that the site was well maintained and ran, that there were no issues of noise or smells being emitted from the site and that the site was an ideal location for such a use. The main comments of objection considered the site to have a detrimental impact on the character of the landscape, there to be no policy justification for the development as it did not relate to diversification of the rural economy, that the access was unsuitable and increased risk to highway safety and that the proposal would place undue pressure on the site for future development including residential occupation.

Members were presented with an update report that outlined further comments from an existing objector, comments from the Head of Technical Services and the Environmental Health Unit. The update report also outlined further information from the applicant.

The update report also outlined that enforcement action would be taken

It was considered that the buildings and use of the site did not have a specific requirement for the location, would not contribute to the diversification of the rural economy and would have a significant detrimental impact on the form and appearance of the original buildings on site and on the character of this site within the landscape.

The applicant was in attendance at the meeting and addressed the Committee.

RESOLVED that planning application 08/0407/REV be refused for the following reason(s) and the Director of Law and Democracy be authorised to take all appropriate legal action to achieve cessation of the present use of the site and for the removal of all structures including the caravan, containers and storage units, hard standing, access track surfacing, stored materials and other elements, the block work walls of the large former open hay barn to be demolished and its concrete floor to be lifted so that the land is reverted back to having on it only the large open barn and the small timber barn to restore the land to its condition prior to the unauthorised use commencing:-

1. In the opinion of the Local Planning Authority, the proposal does not relate to a business use that would result in the diversification of the rural economy. Furthermore, there has been no robust justification submitted for the use of the site and for the addition of structures and buildings and changes to the buildings

which indicates a specific need for this rural location. It is therefore considered that the use and works to buildings are contrary to Policies GP1, EN13 and EN20 of the Stockton on Tees Local Plan and contrary to PPS7 Sustainable Development in Rural Areas.

2. The works to enclose the large barn have significantly affected its appearance and form to create a more solid and dominant structure. Other unauthorised buildings, structures and hard standings erected on site have resulted in their being a significant proliferation of smaller elements. It is considered that these have had a significant detrimental impact on the character and appearance of the landscape being detrimental to Policies GP1, EN13 and EN20 of the Stockton on Tees Local Plan and PPS7 - Sustainable Development in Rural Areas.

3. In the opinion of the Local Planning Authority it is considered that the proposed development would place an undue pressure to provide some form of residential occupation on the site which would be contrary to both Local and National planning policy as a result of the use of the site having inadequate justification for such a rural location.

**P 08/0522/FUL**  
**3/08 Wainstones, 18 Leven Road, Yarm**  
**Revised application for the erection of 4 no detached dwellinghouses**

The application was withdrawn prior to the meeting.

**P 07/2525/FUL**  
**4/08 5 Darlington Road, Stockton**  
**Revised application for residential development comprising erection of 2 no. blocks of apartments (6 no. units in total) and associated access (demolition of 1 no. double garage)**

Consideration was given to a report that sought planning consent for the erection of 2 apartment blocks providing a total of 6 units with associated access and parking areas.

It was explained that the application site was situated off Darlington Road, Hartburn. The site hosted a single residential property with detached double garage, several mature trees lay within the site, some of which were covered by a Tree Preservation Order (TPO). The former Railway line lay to the east of the site, whilst the residential properties of Briar Walk and Darlington Road lay to the west and south respectively.

Members were reminded that the application was deferred from consideration at a previous planning committee due to concerns being raised over the accuracy of the site plan and the ability of the site to contain the development as proposed. It was advised that an officer site visit had taken place and it could be confirmed that the site plan provided was accurate.

An update report was presented to Members that outlined that further comments had been received from a local resident.

Members of the Committee raised concerns over the proposed development. Members considered that the proposed development was unsympathetic to the character of the area and considered that it would have an adverse impact on the privacy and amenity of both the adjacent residents and the future occupiers of the proposed development. Members also raised concerns in relation to the amount of formal and informal private amenity space.

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

A resident was in attendance and objected to the application.

RESOLVED that planning application 07/2525/FUL be refused for the following reason:-

In the opinion of the Local Planning Authority the proposed development is considered to be unsympathetic to the character of the area, adversely affects the privacy and amenity of adjacent residents and future occupiers and is deficient in formal and informal private amenity space and is therefore contrary to the saved Policies GP1 (ii), (iii) and (vii), HO 11 (ii), (iii) and HO3 (iv), (v) of the adopted Stockton on Tees Local Plan.

**P  
5/08**

**07/3339/EIS  
Land off Green Lane, Yarm,  
Proposed 18 no. golf course with associated car parking and outline  
application for the erection of club house and driving range.**

Consideration was given to a report that sought planning permission for the creation of a golf course and outline approval for a club house, driving range and ancillary development on land to the south of Greens Lane, Yarm. The site was currently in agricultural use as well as having an operational driving range.

It was explained that the site fell outside of the defined limits of development, within a Special Landscape Area and adjacent to and within a Site of Nature Conservation Interest.

A total of 3 letters of objection and 4 letters of support had been received in respect to the proposed development. Objections mainly related to the scale of the club house, the impact of the development on the landscape and traffic related matters whilst comments of support advised the use would be an asset to the area.

It was explained that the proposed sport and recreational use for the site was one which conformed with Policy EN13 of the Local Plan for development outside of the 'limits of development' as it was considered to be a relatively low impacting use due to the course retaining open green areas and introducing new landscaped areas. The club house, driving range and car park were located at the position of the existing driving range and access point towards the northern edge of the site and as such limited the intrusion of buildings and hard surfacing into the area of Special Landscape Value.

The Head of Technical Services considered that the access from Greens Lane required the provision of a Ghost Right Turn in order to prevent an undue risk to highway safety. However it was considered that the impact of traffic on Greens Lane, and parking provision and manoeuvring space internally for servicing of vehicles were acceptable.

Members of the Committee were presented with an update report that outlined the additional comments from Urban Design and summarised the response from Natural England. In addition, two letters of objection, one letter of support and one letter containing general comments had been received. The update report also outlined various changes to the recommendations in the original report as follows, an amendment to the approved plans of condition 3, an amendment to condition 8 relating to renewable energy; the removal of condition 14 relating to the provision of a ball stop fence and the inclusion of an extra condition relating to the timing of works in respect to potential impacts on breeding birds.

Some Members of the Committee expressed concern at the design of the club house and requested that they be included in the design of the Club House. The agent for the application was in attendance at the meeting and advised that they would be happy to accommodate the request, that the application was in outline only and all matters relating to the design of the clubhouse are reserved matters. .

It is considered that the proposed development would not be significantly detrimental to the designated Strategic Gap or the Special Landscape Value of the Area or the Site of Nature Conservation Interest. It was considered that the proposed development would adequately provide for its demands in regards to access and parking whilst adequate landscaping of the site would be achieved as a result of reserved matters submissions.

A member of Castle Leavington and Kirklevington Parish Council was in attendance at the meeting and outlined the views of members of the council although they did not hold a vote on the application.

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

A resident was in attendance at the meeting and spoke in support of the application.

**RESOLVED** that planning application 07/3339/EIS be approved with conditions subject to:-

1. 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.
2. Approval of the details of the appearance of the buildings and the landscaping of the site shall be in accordance with the details of a scheme to be submitted to and approved in writing by the Local Planning Authority before development commences.

3. 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

HD/76892/L02 rev a Dated 6th Dec 2007

HD/76892/CPL rev b Dated 27th March 2008-04-09

GGD-153-1980 rev f Dated 1st April 2008-04-09

6004-A1-RE rev a Dated 20th March 2008

4. No development shall take place until the applicant, or their agents or successors in title have completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme should detail provisions to be made for preservation in situ or recording of archaeological remains where found to exist.

5. The proposed development shall not be brought into use until a Ghost Right Turn has been implemented on Green Lane in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority.

6. No development shall be commenced until a scheme for the provision and implementation of a surface water run off limitation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme of details before the use commences.

7. Notwithstanding details shown on the plans hereby approved, prior to commencement of construction of the club house a scheme of finished floor levels for the proposed club house shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate existing surrounding ground levels. The development shall be carried out in accordance with these approved details.

8. 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 building 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.

9. No trees or hedges on the site shall be lopped, topped, pruned or felled until the reserved matters of the landscaping for the site has been approved in writing by the Local Planning Authority.

10. Notwithstanding details hereby approved and prior to the development being brought into use, the car park associated with the development shall be surfaced and laid out in accordance with a scheme to be submitted to and

approved in writing by the Local Planning Authority.

11. The external lighting of the site shall be solely in accordance with a scheme of lighting which has first been submitted to and approved in writing by the Local Planning Authority.

12. Notwithstanding details hereby approved, there shall be no means of enclosure erected on the site other than those which have been first been submitted to and approved in writing by the Local Planning Authority.

13. The proposed development shall not be brought into use until cycle and bin stores have been provided on site in accordance with a scheme to be first submitted to and agreed in writing with the Local Planning Authority.

14. Notwithstanding details hereby approved, the development shall not be commenced until details of a remodelled 13th Green have been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved details.

15. There shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters, whether direct or via soakaways.

16. Notwithstanding details hereby approved, the development shall not be commenced until details of Green and Tee drainage have been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved details.

17. Any facilities for the storage of oils, fuels or chemicals shall be sited on the 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 are multiple tanks then the volume of the compound should be equivalent to the combined volume of the tanks plus 10%. All filling points, vents, gauges and sight glasses must be contained within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work 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.

18. Notwithstanding details hereby approved, there shall be no on site vegetation clearance works undertaken during the bird breeding season specifically being 1st March to 31st August unless a checking survey has been carried out and the survey results have been submitted to and approved in writing by the Local Planning Authority. The checking survey should be carried out immediately prior to the time of clearance works and any that are found afforded suitable protection.

**P  
6/08**

**08/0394/REV  
The Stables, Kirk Hill, Redmarshall  
Erection of stable block for use as horse breeding business**

Consideration was given to a report that sought planning permission for the

erection of a stable block in connection with a horse breeding business. The site was located at The Stables, Kirk Hill, Redmarshall.

It was advised that a previous application was refused and subsequently dismissed at appeal due to the impact of the proposed development on the landscape.

A total of 14 letters of objection had been received in respect to the proposal which related mainly to the impacts of the development on the character of the area, highway safety, the business case and residential amenity.

The Head of Technical Services had accepted the principle of access to the site although had requested a speed survey be carried out to ascertain the necessary visibility splays whilst the landscape officer had advised a scheme of landscaping would be required. Other consultees had indicated the need for control over various elements including foul water discharge.

An update report outlined that an additional letter of objection had been received. The report also outlined further comments from the applicant, the Head of Technical Services and the Environmental Health Officer.

Members of the Committee raised concerns in relation to the proposed development. It was considered that the application did not provide sufficient information in order to satisfy the tests in PPS7 in terms of showing a need for the operation or that the operation could function as a business which would contribute to the rural economy.

A resident was in attendance and objected to the proposal.

The Ward Councillor was in attendance and objected to the proposal.

RESOLVED that planning application 08/0394/REV be refused for the following reason:-

In the opinion of the Local Planning Authority, the submitted details and business plan are considered to be insufficient to justify the development based on the requirements of PPS7 to strictly control new development in the countryside or areas outside of established towns and villages in that they do not clearly show that there is a need for the operation or that the operation could function as a business which would contribute to the rural economy.

**P  
7/08**

**08/0336/OUT  
Land to the rear Of Copsewood, The Avenue, Eaglescliffe  
Outline application for the erection of 5 no. detached residential units**

Consideration was given to a report that sought outline planning approval for the erection of 5 residential units (houses or bungalows). The application sought approval for the means of access associated with the site with matters of Layout, Scale, External Appearance and Landscaping being reserved. The site was located at land to the rear Of Copsewood, The Avenue, Eaglescliffe.

It was advised that a total of 8 letters of comment had been received in respect to the consultation exercise undertaken. Responses included 2 letters of



comment, 1 letter of support and 5 letters of objection. Letters of support and comment generally indicated the scheme to be an improvement from a previous approval for 7 units on the site and adjoining land whilst objections related mainly to the potential loss of protected trees, the nature of the access off The Avenue and highway safety issues and the impact on residential amenity.

The proposal related to a brownfield site within a residential area within the 'Limits of Development' as defined within the adopted Stockton on Tees Local Plan. The site was within close proximity to the defined Neighbourhood Centre of Station Road and public transport provision associated with the adjacent Yarm Road. It was noted as such, the proposal generally accorded with Local Plan Policy H03 and there was a presumption in favour of residential development.

Outline planning permission had previously been granted for the erection of 7 units on a slightly extended site which remained to be current.

The proposed access was considered satisfactory to the Head of Technical Services.

Members were presented with an update report that outlined the comments received from English Nature and Urban Design. It also outlined an amendment to the approved plans of condition 1 and the inclusion of an additional condition relating to protected species.

The site was considered to be of an adequate size for the provision of 5 dwellings without unduly affecting the spacious character of the area, the privacy and amenity associated with adjoining properties or the numerous protected trees within the site.

RESOLVED that planning application 08/0336/OUT 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

NE20416-003 12 February 2008

NE20416-016 9 April 2008

2. Approval of the details of the Layout, Scale, External Appearance and Landscaping shall be in accordance with the details of a scheme to be submitted to and approved in writing by the Local Planning Authority before development commences.

3. Plans and particulars of the reserved matters referred to in condition 2 above, relating to the Layout, Scale, External Appearance and Landscaping, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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. No development or other operations hereby approved shall commence on site until a scheme for the protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

6. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.

7. No development shall take place within the application area until the applicant, their agents or successors in title, have submitted to and had approved in writing by the Local Planning Authority a method statement detailing the steps that will be taken to minimise the impact of the development on archaeological remains of the route of the Stockton and Darlington Railway. The method statement shall make provision for the development to be monitored in the field by an officer of Tees Archaeology or their appointed representative and for standards to be enforced as necessary.

8. The developer shall give two weeks notice in writing of commencement of works to Tees Archaeology, Sir William Gray House, Clarence Road, Hartlepool, TS24 8BT. Tel: (01429) 523458, and shall afford access at all reasonable times to Tees Archaeology and shall allow observation of the excavations and recording of items of interest and finds.

9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme showing existing ground levels, finished ground levels, finished floor levels for dwellinghouses and road levels. Thereafter the development shall be completed in accordance with the approved details.

10. Prior to works commencing on site a scheme for a temporary car park to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site prior to the commencement of earthworks and shall be made available throughout the construction of the development unless agreed otherwise in writing with the Local Planning authority.

11. No development work shall take place outside the hours of 8.00a.m. - 6.00p.m. weekdays, 8.00a.m. - 1.00p.m. Saturdays and at no times on Sundays or bank holidays.

12. Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

13. 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 Copsewood, Eaglescliffe, Cleveland', including, but not restricted to adherence to timing and spatial restriction ; provision of mitigation in advance; undertaking confirming surveys as stated; adherence to precautionary working methods; provision of a bat loft. All trees shall be checked by the project Ecologist prior to the commencement of works. Trees should be felled in accordance with the method statement.

**P 08/0124/FUL**  
**8/08 Land At Urray Nook Road, Eaglescliffe, Stockton On Tees**  
**Revised application for the erection of storage warehouse and ancillary parking**

Consideration was given to a report that sought planning permission for the erection of a single industrial type pitch roof building, to accommodate storage area, office and welfare facilities. Externally, the site would provide bin storage, car and cycle parking, with an area of hardstanding to provide manoeuvring space. Access would be taken from Urray Nook Road, the position of which necessitates relocating existing bus stops eastward. The site was located at land at Urray Nook Road, Eaglescliffe.

Members were advised that in 2007, planning permission (planning application reference number 07/0301/FUL) was refused for the erection of storage warehouse and ancillary parking on the site.

The application had generated 15 representations objecting and commenting upon the proposal in relation to availability of industrial land in the Borough, access and traffic, loss of views, impact on the amenity of the occupants of neighbouring residential properties, impact on wildlife, matters arising from the Health and Safety Executive, possible pollution, devaluation of property, impact on the character of the area, impact on local recreation opportunities, lack of suitable workforce, vibrations and structural damage.

Egglecliffe and Eaglescliffe Parish Council and Long Newton Parish Council had objected to the proposal. Members were advised that Councillor J Fletcher had commented on the proposal.

It was explained that the main planning considerations related to the principle of development in the light of planning policy and the previous refusal for development on the site, impact on the amenity of the occupants of neighbouring properties, impact on landscape and visual amenity, access and highway safety, impact on wildlife, matters relating to issue arising from the Health and Safety Executive, and impact on public rights of way and recreation opportunities.

The Committee received an update report that outlined the response from the Councils Traffic Management Team in respect of a query regarding weight limits around Hunters Green.

It was considered that taking account of the previous refusal, the site location

and circumstances, and confirmation of the validity of the allocation on the adjacent site that the principle of development may be acceptable subject to individual environmental impacts. The impacts had been assessed and it was considered that subject to conditions, that the development would not have an adverse impact on the amenity of the occupants of neighbouring properties, access and highway safety considerations, landscape and visual impact, nature conservation interests, health and safety matters, public rights of way and recreation opportunities.

The agent and the applicant were both in attendance at the meeting and addressed the Committee.

A resident was in attendance and objected to the proposal.

RESOLVED that planning application 08/0124/FUL be approved subject to conditions in respect of approved documents, restriction of use, relocation of bus stops and provision of footpath, retention of visibility splay, illumination, outside storage, hard and soft landscaping, means of enclosure and street furniture, cycle storage, no outside storage, drainage, and any other matters arising.

**P 07/3438/FUL**  
**9/08 Land 35 Metres To West Of British Legion Club, Queens Avenue, Thornaby**  
**Revised application for development of 33 no. apartments for student accommodation, providing 175 no. en-suite bedrooms and associated parking and means of access.**

Consideration was given to a report that sought planning permission for the erection of student accommodation in the form of self-contained apartments on the car park of British Legion Club, Queens Avenue, Thornaby. The application sought to address the design concerns raised by Officers to a previous submission in 2006.

Previous planning permissions on the site related to 10 dwellings and a scheme of 46 apartments.

It was explained that the site would provide areas of landscaping, but no dedicated amenity space. In view of this, a legal agreement had been secured for a contribution to open space at Victoria Park in Peel Street.

Car and cycle parking was proposed, and the scheme retained parking for patrons of the Club. Access to the site was via Gilmour Street and Queens Avenue. In accordance with the requirements of the Head of Technical Services, a financial contribution had been secured to assist in the provision of pedestrian facilities on Westbury Street.

Waste recycling facilities were proposed along side those for general refuse.

The main planning considerations related to planning policy implications and the principle of development, need for student accommodation, impact on the amenity of the occupants of neighbouring premises and future residents,

drainage, scale and design of the proposed building, landscape and visual amenity, access and highway safety considerations.

The application had been publicised by means of site and press notice and individual letters. It was advised that four letters of representation had been received from neighbours, objecting to the proposal.

Members of the Committee were presented with an update report that outlined comments from the Head of Technical Services.

The Committee considered that the proposed development was unacceptable. Members considered that the scale and massing of the building would be overbearing on the adjacent properties and considered that there was a lack of private amenity space. The committee also raised concerns over the undercroft parking area in relation to crime and safety issues.

RESOLVED that planning application 07/3438/FUL be refused for the following reason:-

In the opinion of the Local Planning Authority the proposed development by virtue of its design, scale and massing would be overbearing on the adjacent residential properties which would be contrary to the guidance in PPS 1 that the overall design, scale and massing needs to be appropriate to the locality and fit into the character of the area. The proposed development is considered to be deficient in private amenity space and would adversely affect the privacy of the occupants of the nearby residential properties and the undercroft parking would give rise to crime and safety issues and is therefore contrary to the saved Policies HO 11 (i) and (iv) of the adopted Stockton on Tees Local Plan.

**P**  
**10/08**      **07/3447/OUT**  
                 **11 The Avenue, Stockton**  
                 **Outline application for 1 no. detached bungalow and garage**

Consideration was given to a report that sought outline planning permission for the erection of a detached bungalow and a detached garage to the rear of 11 The Avenue, Stockton. An indicative drawing had been submitted but all matters had been reserved for later consideration.

The planning application had been publicised by means of individual letters, and 7 letters of objection had been received relating to privacy and amenity, visual amenity, increased traffic and highway safety and impact on existing landscaping features. It was noted that the Ward Councillor had also objected to the application.

Members of the Committee considered that the proposal was unacceptable. It was considered that the proposed development would adversely affect the amenity and privacy of the adjacent residents and was unsympathetic to the character of the area.

The applicant was in attendance at the meeting and addressed the Committee.

A resident was in attendance and objected to the proposal.

RESOLVED that planning application 07/3447/OUT be refused for the following reason:-

In the opinion of the Local Planning Authority the proposed development is considered to be unsympathetic to the character of the area, adversely affects the privacy and amenity of adjacent residents and existing landscape features and is therefore contrary to the saved Policies GP1 (ii) and (iv), HO 11 (iv) of the adopted Stockton on Tees Local Plan.

**P 08/0398/FUL**  
**11/08 The Merlin Public House, Marsh House Avenue, Billingham**  
**Timber enclosed area and planters with flat roof canopy over and flat roof canopy over entrance.**

Consideration was given to a report that sought planning permission for the provision of an enclosed timber framed area and planters with flat roof canopy over and flat roof canopy over the entrance to The Merlin Public House, Billingham.

The planning application had been publicised by means of individual letters, and 5 letters of objection had been received from local residents and 1 letter of objection from one of the Ward Councillors. There had been no objections from consultees subject to replacement planting and the appropriate colour staining of the timber structure.

Members of the Committee raised concerns over the monitoring of the proposed area and agreed that CCTV should be erected as part of the approval.

It was considered that overall the proposed development was acceptable. It was considered that the proposed development would be unlikely to cause an increase in noise and disturbance or significant loss of privacy and amenity for the residents of the neighbouring properties, or have an adverse effect on highway safety and landscaping and the development was in keeping with the property and the street scene in terms of style, proportion and materials.

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

RESOLVED that planning application 08/0398/FUL be approved subject to the following conditions:-

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	18 February 2008
0001/08/01	18 February 2008
0001/08/02	18 February 2008
0001/08/03	18 February 2008
0001/08/04	18 February 2008

2. The tree to be removed shall be replaced with a specimen or a type and species to be agreed with the Local Planning Authority, before the removal of the tree and which is to be planted within the first planting season following the removal of the tree. Should the replacement tree die, become damaged or diseased within five years it shall in turn be replaced within the first planting season following its demise with a species to be agreed in writing with the Local Planning Authority.

3. The timber enclosure, decking and planters hereby permitted shall be finished in accordance with a colour scheme to be agreed in writing with the Local Planning Authority.

4. Any internal or external lighting shall be shielded and arranged so as not to shine directly towards any dwelling and prevent any light spillage beyond the boundary of the premises, details of which must be submitted to and approved in writing by the Local Planning Authority prior to installation.

5. Before the timber enclosed area hereby approved is brought into operation, CCTV camera(s) shall be installed, details of which shall be submitted to and approved in writing with the Local Planning Authority. The submitted information shall include details of the positioning of the camera(s), mounting equipment and details of the means by which the cameras will be controlled to allow supervision of the enclosed area hereby approved. The CCTV cameras shall be installed and operated in accordance with the agreed details and retained thereafter, unless otherwise agreed in writing with the local planning authority.

**P  
12/08**

**08/0371/FUL**

**87 - 91 Oxbridge Lane, Stockton**

**Revised application for demolition of petrol station, car sales building, workshop and canopy. Erection of new convenience store, new canopy, tanks, pump islands relocation of existing jet wash and additional jet wash.**

Consideration was given to a report that sought planning permission for the redevelopment of an existing petrol filling station, jet wash, car wash, car sales, and car repair garage. The proposed scheme included a convenience store, petrol station, 2 jet washes, water point, air and car vacuum, access and landscaping. The site was located at 87 - 91 Oxbridge Lane, Stockton.

The planning application had been publicised by means of individual letters, and 23 letters of objection had been received objecting to visual amenity, noise and disturbance, increased traffic and highway safety. There had been no objections from consultees and Ward Councillors.

It was considered that the proposed development was acceptable, was in keeping with the area in terms of style, proportion and materials and did not involve any significant loss of privacy or amenity in terms of overshadowing, overbearing, distance from noise or residue from onsite operations for the residents of the neighbouring properties.

It was considered that the proposal provided retail and petrol filling facilities within the limits of development and neighbourhood centre and was therefore acceptable that in principle conditions could be attached to adequately control impacts arising from light intrusion, noise, over spray, construction noise and disturbance and general noise arising from the operation of the facility to ensure that there was no unacceptable loss of amenity for local residents.

It was considered that the scheme would provide adequate dedicated parking and manoeuvring space within the site, and controls over ingress and egress were proposed. It was considered that these controls and the level of vehicular and pedestrian traffic and controls over their interaction would be adequate and the scheme was acceptable in access and highway safety grounds.

The applicant was in attendance at the meeting and addressed the Committee.

The Chairman read out a letter of objection on behalf of a resident who was unable to attend the meeting.

RESOLVED that planning application 08/0371/FUL be approved subject to the following conditions:-

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
735/15A	6 March 2008
735/16	15 February 2008
735/12	15 February 2008
SBC0002	15 February 2008
SBC0001	18 February 2008

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. 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.

4. No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence until the



measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

5. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

6. Before the jet washes, refrigeration, air conditioning, air pump, car vacuum plant are brought into use, the buildings, structure plant and equipment shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be installed in accordance with the approved scheme and thereafter maintained to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background levels of noise as agreed without the agreement in writing of the Local Planning Authority.

7. Notwithstanding the approved plans prior to the commencement of the development hereby permitted, a scheme for the protection of adjacent premises from over spray from the jet washes 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 implemented prior to the first use of the jet washes hereby permitted.

8. Notwithstanding the plans hereby approved, before development commences a scheme detailing a 2.4m high acoustic wall and fence around the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be erected before the development is brought into use and thereafter shall be retained and maintained in accordance with the approved scheme for the lifetime of the development hereby permitted.

9. No development shall be commenced until details of all the means of enclosure on the site have been submitted to and approved by the Local Authority. Such means of enclosure as approved shall be erected before the development hereby approved is occupied and retained thereafter for the life of the development hereby approved.

10. Any internal or external lighting shall be shielded and arranged so as not to shine directly towards any dwelling and prevent any light spillage beyond the boundary of the premises, details of which must be submitted to and approved in writing by the Local Planning Authority prior to installation.

11. Notwithstanding the proposals detailed in the submitted plans, no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the

Council's Design Guide, Specification (Residential and Industrial Estates Development) current edition BS4428: 1989, Code of practice for General Landscape operations, and the Horticultural Trades Association (2002) Code of Practice. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development or prior to the occupation of any part of the development whichever is the sooner.

12. Prior to commencement of development notwithstanding the proposals detailed in the submitted plans a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, be submitted to and approved in writing by the Local Planning Authority. Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation. 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.

13. Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development, whichever is the sooner. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

14. The car park shall be constructed, surfaced and marked out in accordance with the details shown on Drawing Number 735/15A, before the development hereby approved is brought into operation and that area shall not thereafter be used for any purpose other than the parking, loading and unloading of vehicles.

15. Prior to the first use of the development hereby permitted, the proposed 'exit' and 'entrance' and 'no parking areas' shall be constructed, surfaced and marked out in accordance with Drawing Number 735/15A, and retained and maintained throughout the lifetime of the development.

16. During construction of the scheme hereby approved there shall be no operation of plant outside the hours of 8.00a.m. - 6.00p.m. Weekdays, 8.00a.m. - 1.00p.m. Saturdays and at no times on Sundays or bank holidays.

17. The premises shall not be open for business or goods for sale, nor shall

stock or supplies of fuel be delivered thereto, outside the hours of 6:00 and 21.30 Monday to Sunday.

18. The jet washes, air/water towers and vacuum machine equipment shall not be operated on the premises before 7am on weekdays or 8am on Saturdays and Sundays nor after 8pm on weekdays and 7pm on Saturdays and Sundays.

**P  
13/08      Local Development Framework Steering Group Minutes - 29th January  
2008**

RESOLVED that the minutes of the meeting held on 29th January 2008 be confirmed.

- P  
14/08      1.Appeal - Charles church North East - Portus Bar Ingleby Barwick -  
07/1356/ARC - DISMISSED  
2. Appeal - T C Developments NE - Wainstones 18 Leven Road Yarm -  
07/2442/FUL - DISMISSED  
3.Appeal - North East Property Partnership - Teesside Industrial Estate  
Thornaby - 07/1416/FUL - ALLOWED WITH CONDITIONS  
4. Appeal - Mr Sean McNicholas - The Wheelhouse The Green Wolviston -  
07/2077/REV - DISMISSED**

RESOLVED that the information be noted.