

Planning Committee

A meeting of Planning Committee was held on Wednesday, 4th February, 2009.

Present: Cllr Roy Rix(Chairman), Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr David Harrington, Cllr Miss Tina Large, Cllr Julia Cherrett (vice Cllr Maureen Rigg), Cllr Terry Laing (vice Cllr John Gardner), Cllr Leckonby (vice Cllr Hilary Aggio), Cllr Mrs Jean O'Donnell (vice Cllr Paul Kirton)

Officers: B. Jackson, P. Shovlin, , J. Roberts, M. Robinson, A. Austin, M. Brownlee (DNS); J. Butcher, R. Phillips, S. Johnson , C. Lunn (LD)

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

Apologies: Cllr John Gardner, Cllr Hilary Aggio, Cllr Robert Gibson, Cllr Paul Kirton, Cllr Bill Noble, Cllr Ross Patterson, Cllr Mrs Maureen Rigg, Cllr Steve Walmsley

P Declarations of Interest

141/08

Councillor Mrs Beaumont declared a personal/prejudicial interest in the item entitled 08/3631/REV 79A High Street, Yarm - Revised application for erection of two-storey extension to the rear, as she was a close associate of the applicant, but made representations under paragraph 12(2) of the Code of Conduct, and then left the meeting room for the consideration and voting of the item.

Councillors Broughton and Laing declared personal/prejudicial interests in the item entitled 08/3631/REV 79A High Street, Yarm - Revised application for erection of two-storey extension to the rear, as they were close associates of the applicant, and left the meeting room for the consideration and voting of the item.

P Minutes of the meetings held on 26th November 2008 and 17th December 2008

142/08

The minutes of the meetings held on 26th November 2008 and 17th December 2008 were signed by the Chairman as a correct record.

P 08/3022/FUL 143/08 Ashdale Barn, Cowpen Bewley, Billingham Erection of Double Garage

Consideration was given to a report that sought permission for the erection of a double garage at Ashdale Barn, Cowpen Bewley. It was a residential barn conversion located within an Article 4 Conservation Area. The site was adjacent to other residential properties and facing towards the village green.

It was explained that the planning application had been publicised by means of individual letters and 5 objections had been received from 2 neighbouring properties and objections had also been received from Councillors Cunningham and Stoker. It was noted that the main planning considerations related to the impact upon the character of the conservation area, the visual impact upon the street scene and any impacts upon the privacy and amenity of the occupants of neighbouring properties and highway safety.

An update report was presented to the Committee which outlined additional objections to the proposal from Councillor Cunningham and Billingham Town Council.

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

The Ward Councillor and a resident were in attendance at the meeting and objected to the proposal.

Members of the Committee discussed the proposal and considered that the application should be deferred for a site visit in order that they could better understand the siting of the proposed garage within the application site.

RESOLVED that planning application 08/3022/FUL be deferred for a site visit.

P 08/3661/REV
144/08 12 Lufton Close, Riverside View, Ingleby Barwick
Revised application for erection of 1no. detached dwellinghouse with garage.

Consideration was given to a report that sought permission for the erection of a detached dwelling with a garage. The application site was 12 Lufton Close, Riverside View which was a building plot located within a self-build development in Ingleby Barwick. The site was located within a development area, where the plots were under various stages of construction, with some dwellings under construction and others completed.

The planning application had been publicised by means of individual letters and no objections had been received from the owners of neighbouring plots or properties. It was explained that the application was to be determined at planning committee as the agent was a relative of an employee of the Council. The main planning considerations related to the visual impact upon the street scene and any impacts upon the privacy and amenity of the occupants of neighbouring properties and highway safety.

Members of the Committee considered that overall the proposed development was acceptable and would not have a significant detrimental impact on the amenities of the area.

RESOLVED that planning application 08/3181/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 24 December 2008
011/08/01 Rev A 24 December 2008

Reason: To define the consent.

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.

Reason: To enable the Local Planning Authority to control details of the proposed development.

3. Notwithstanding the submitted details, all means of boundary enclosure shall be submitted to and approved in writing by the Local Planning. The approved boundary treatments shall be erected prior to the development, hereby approved, being occupied and shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development

4. The garages to which the permission relates shall be used for the parking of private motor vehicles, incidental to the enjoyment of the occupants of the dwellinghouses, and no other purpose.

Reason: To ensure that the adjoining residential properties are not adversely affected by the development.

5. 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 and finished floor levels. Thereafter the development shall be completed in accordance with the approved details.

Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future residents.

6. No development shall commence on site until full details of hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development for surface water disposal.

P 08/3631/REV
145/08 79A High Street, Yarm,
Revised application for erection of two-storey extension to the rear.

Consideration was given to a report that sought planning permission for a two-storey extension including sunroom and balcony to the rear of 79a High Street Yarm.

It was explained that as the application had been submitted by Councillor J Earl, under the local authority scheme of delegation, the application must be determined by Planning Committee.

It was explained that although an extension to the property was considered acceptable in principle and the applicant had made changes to the original proposal, the design of the current proposal was considered to be unacceptable.

The Committee considered that, overall the proposal was unacceptable in terms of its design.

RESOLVED that planning application 08/3631/REV be refused for the following reason:-

In the opinion of the Local Planning Authority the design and details of the proposed extension are considered to be out of character and unsympathetic to the existing property and wider conservation area and is therefore contrary to the saved policies HO12 and EN24 of the Stockton on Tees Local Plan in that it will not preserve or enhance the character of the Yarm conservation area.

P 4 COUNTISBURY ROAD, NORTON
146/08 Alleged change of use from residential to mixed residential and business purposes

Consideration was given to a report relating to 4 Countisbury Road, Norton. It had been brought to the attention of the Head of Planning that 4 Countisbury Road, Norton, a residential property, was allegedly being used to operate a business trading as Teesside Property Services which carried out general property repairs, maintenance and building works and associated administrative functions.

Members of the Committee were informed that the business involved general property repairs, maintenance and building works and associated administrative functions, and operated 2 commercial vehicles, one of which sometimes parked on the drive but the majority of time the vehicles involved parked on the public highway. No goods, materials or equipment were stored at the property. The administrative functions of the business were undertaken at the property.

It was explained that it was clear from the Planning Enforcement Officer's inspection of the site and the evidence supplied by the neighbour of vehicular movements associated with the business, that the use was ancillary to the main use of the property as a dwelling. It was therefore considered that no material change of use, from dwelling house (C3) to mixed use as a dwelling house and building firm's office (B1) had occurred.

It was considered that at present, no further action was required and the property owner should be informed that, on the basis of the current levels of usage, a planning application was not required to regularise the planning position. Members were informed that the owner would be advised that if activities intensified within the curtilage of the property then an application may

be required at that time and that there could be no guarantee that permission would be forthcoming.

RESOLVED that the following be noted:-

1. Planning permission is not required for the business operation at the current level of activity as it is accepted that the scale of the business use of the property at its current level of activity is ancillary to the residential use of the property and does not constitute a material change of use.
2. The applicant is informed of the opinion set out in point 1 of this recommendation that at the current level of commercial activity a planning application is not required to regularise the planning position. However, should activities intensify within the curtilage of the property then an application for a change of use may be required, and that such a permission for such a use might not necessarily be forthcoming.
3. It is considered that at this present time it is not expedient to authorise the Director of Law and Democracy to take legal action, as there is considered to be no breach of planning control.
4. The file be closed unless evidence of such intensification of use is received.

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147/08 **PLANNING PERFORMANCE**

Members were presented with an update report on the performance of the planning department for the third quarter of 2008/9. It was noted that the department had exceeded NI standards for the third quarter.

Members congratulated officers on their performance and agreed to send an email to the Head of Planning to that effect.

RESOLVED that:-

1. The report be noted.
2. The Planning Department be congratulated on their performance.

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148/08 **1. Appeal - Peter Hodgson - Grove Stables Forest Lane Kirklevington - 05/3273/FUL - ALLOWED WITH CONDITIONS**
2. Appeal - Mr David Muir - 24 Junction Road Stockton on Tees - 07/3474/FUL - DISMISSED
3. Enforcement Appeal - Mr Gareth Tyres - 122 High Street Yarm - DISMISSED (Listed Building Enforcement Notice Upheld)

Members discussed Appeal 1. It was informed that the decision could not be challenged but Highway Officers intended to arrange a meeting with a senior official of the Planning Inspectorate to discuss their concerns further.

RESOLVED that the information be noted.

