

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 13th January, 2010.

**Present:** Cllr Roy Rix (Chairman); Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Robert Gibson, Cllr Paul Kirton, Cllr Bill Noble, Cllr Ross Patterson, Cllr Mrs Maureen Rigg, Cllr Fred Salt and Cllr Steve Walmsley.

**Officers:** B Jackson, C Straughan, R McGuckin, P Shovlin, J Roberts, S Grundy, K Campbell (DNS); P K Bell, J Butcher (LD).

**Also in attendance:** Applicants, agents and members of the public; C Nester (Standards Committee Representative).

**Apologies:** Cllr Mrs Jean Kirby and Cllr Miss Tina Large.

### **P       Declarations of Interest**

**116/09**

Councillor Gibson declared a personal prejudicial interest in respect of agenda item 5 - 09/2823/LA - St Pauls R C Primary, Wolviston Mill Lane, Billingham - Erection of new detached childcare facility and car park extension, new external lighting and erection of new 1.8m high boundary fencing as he was a Director of St Michaels Pre School and After Care Services (SMASH) and withdrew from the meeting and left the room while the item was being considered.

Councillor Mrs Beaumont declared a personal non prejudicial interest in respect of agenda item 6 - 09/2758/FUL - Land to the Rear of Glenmarlen, Darlington Road, Long Newton - Revised Application for the erection of 1 no. dwellinghouse (demolition of existing stables and storage buildings) as one of the objectors was known to her through the Western Area Partnership Board.

Councillor Mrs Rigg declared a personal non prejudicial interest in respect of agenda item 6 - 09/2758/FUL - Land to the Rear of Glenmarlen, Darlington Road, Long Newton - Revised Application for the erection of 1 no. dwellinghouse (demolition of existing stables and storage buildings) as one of the objectors was known to her through the Western Area Partnership Board.

### **P       09/2990/REV**

**117/09**

**Fairfield and District Association Institute, Bishopton Road West, Stockton-on-Tees**

**Revised application for erection of 3 No. terraced houses and 1 pair of semi-detached houses.**

Consideration was given to a report on a revised application that sought planning permission for the erection of 3 terraced houses and 1 pair of semi detached dwellings (5 dwellings in total) on land off Manor Place, Stockton. The proposed development was on the site of the former Fairfield and District Association Institute, which was vacant and would be required to be demolished in order to allow the proposed scheme to take place.

Planning permission was refused on 3rd December 2009 (09/2227/FUL) for the erection of 3 terraced houses and 1 pair of semi detached dwellings as the density of the proposal was considered by Members to be over development of the site whilst the design and layout of the proposed scheme did not provide a

high quality of built environment.

The application had been submitted to address issues raised by the refusal of the previous submission. The main revisions of this application included the addition of a dentil course of brickwork across the front elevation of the dwellings between the fenestration of the ground and first floor, the addition of stone cills and headers to the windows within the front elevations of the dwellings, and the erection of gabled pitched roof canopies above the main entrances to the dwellings. The revised drawings also indicated the installation of 3 chimneys on the rear elevations of the dwellings. The applicant had indicated that the chimneys would be relocated to the side elevations of the dwellings so that they were visible from the front of the application site.

The application site was surrounded by residential housing to the north, south and west with the former site of St Marks Church to the east. The site was served off Bishopton Road West via an access which ran between two properties although the site had no frontage onto the road. The only part of the site with road frontage adjoined Manor Place. Manor Place was generally characterised by two storey semi detached properties and a mature tree lined road corridor.

At the point of the application site there were several mature street trees, including a protected Sycamore tree. This and other trees were considered to have a positive greening affect on the character and appearance of the area and worthy of continued protection.

The Head of Technical Services considered that adequate access and parking were provided and that the scale of the development was unlikely to materially affect the amount of traffic on Manor Place.

Three letters of objection had been received from neighbouring properties which sought to reiterate previous objections to the redevelopment. The main objections to the scheme related to density, design and appearance, impact on surrounding properties and access.

The Planning Officers report considered that overall the proposed development was of a suitable layout, scale, design and appearance for its setting whilst provided adequate spacing from adjacent properties and provided adequate private amenity space, being in accordance with saved Policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan, and PPS3 - Housing.

Members were presented with an update report. The update report outlined that the applicant had provided revised plans that showed the additional design feature of chimney stacks to the side of the proposed dwellings.

Since the publication of the original report additional comments had been received which were:-

Councillor Maurice Perry and Councillor William Woodhead

Commented that the revised plans provided a development that was more in character with the surrounding area as opposed to the previous scheme for a flatted development and that the greater set back of the properties from the highway would reduce the impact on the privacy of neighbouring properties.

However, both Councillors' had raised concerns with regard to the impact of the proposed development on traffic flow and potential on street parking within Manor Place. Both Councillors' had suggested that the proposed area of landscaping to the south of the application site should be utilised as additional parking to reduce on street parking whilst they had suggested that 'enforcement markings' were imposed in the area to discourage on street parking.

The Acting Head of Technical Services commented that those properties that did not have a direct access to the rear or had an insufficient width to the side of the dwelling should provide a bin store to the front of the dwelling for the provision of a wheelie bin.

Following consultation on the revised plans, an additional 9 letters of objection had been received from no's 15, 24, 33 (3 letters received) and 34 Manor Place and 'The Elms' (2 letters received) and an interested party from outside of the area. Additional objections to those previously received were summarised as follows;

- The revised design and scale of the proposed scheme including the revisions to the external appearance of the dwellings is still out of keeping with street scene
- The layout of the proposed scheme will lead to a loss of amenity in terms of overshadowing for the adjacent property of The Elms, and will reduce the Right to Light.
- The proposed parking is inadequate, Manor Place is too narrow in width and therefore the proposal will lead to a loss of highway safety
- The proposed bin store will introduce an incongruous feature into the street scene to the detriment of visual amenity
- The introduction of the chimney stacks to the side of the dwellings will obstruct access to the rear of the properties. The remaining width will be insufficient for wheelie bins to pass by.
- The measurements on the submitted plans are inconsistent and inaccurate
- Part 16 (trees and hedges) of the submitted application form is incorrect as it states that the proposal will not affect the trees within Manor Place
- The plans are misleading and do not clarify the issue of the right of way that lies adjacent to the site
- Future purchase of the right of way that lies adjacent to the site, which has not been accurately shown on the submitted plans.

Attached to the update report was a revised set of appendices that include elevations of the previously refused planning applications for this site;

07/1817/OUT; Outline application for residential development of 8no apartments within one building, and

09/2227/FUL; 3 terraced two storey dwellings and 1 pair of semi detached two storey dwellings.

The applicant had also submitted 2 photos showing indicative visual representations of similar dwelling types to that of the proposed dwelling types. The photos were attached to the report.

Additional objections had been received with regard to the revised parking provision being inadequate with the potential for an increase in traffic, on street

parking and a loss of highway safety with suggestion of the creation of additional parking to the south side of the site. These matters had been addressed within the main report.

The proposed scheme had been considered and The Acting Head of Technical Services raised no objections as the development was satisfactory in terms of the access crossings, the level of parking spaces being provided and the additional loading it would have on traffic within Manor Place.

It was considered that the loss of the southern section of landscaping within the site to provide a hard surfaced parking court would reduce the positive visual impact that this area of landscaping would have on the immediate environment.

The Acting Head of Technical Services considered that the provision of highway markings to prevent on street parking were not required as it was considered that imposing highway parking restrictions outside the site may lead to the more occasional visitor parking taking place elsewhere within Manor Place. On street parking was a common feature within lightly trafficked residential streets and the proposal was not considered to require a different view to be taken.

With regard to the provision of a footpath to the front of the site, this matter had been addressed within the report.

Objections had been received with regard to the revised design of the dwellings. It was considered that the newly detailed features, including the addition of the chimney stacks, were acceptable for the surroundings and would not introduce a significant incongruous feature into the street scene. This consideration had already been addressed within the main report.

The finishing materials of the proposed dwellings could be controlled and secured by planning condition to ensure that the dwellings were built in materials that complement the surrounding area.

The impact of the proposed bin store to the front of one of the proposed dwellings had been considered and addressed within the main report.

The revised changes that included chimneystacks on the side of the dwellings would restrict the access to the rear of the site. The Acting Head of Technical Services had commented that the width to the side of the dwellings was insufficient for a wheelie bin to gain access to the rear and require the wheelie bin stores to be sited to the front of the dwellings.

Whilst these comments were acknowledged, it was considered that the design of the chimneystacks could be revised to allow a sufficient width to remain for wheelie bin access to the rear to prevent storage to the front of the site. The required changes in design of the chimneystacks could be secured by planning condition.

With regard to the letter of objection received regarding part 16 (trees and hedges) of the submitted application form being incorrect, this matter had also been addressed within the main report.

Whilst it was acknowledged that a right of way lay adjacent to the application

site, the submitted plans acknowledged this and the proposed scheme did not obstruct or effect of this right of way.

Any matters regarding rights of access over land was a private matter and was therefore not a material consideration when assessing the application.

A letter of objection had been received from the adjacent property, The Elms, who had commented that the measurements on the submitted plans were inaccurate. The plans had been re-checked and the measurements on site were in accordance with the submitted plans. There were two anomalies within the submitted drawings. The first anomaly was that the distance from the boundary fence (north) to the side elevation of the residential property known as 'The Elms' was 440mm greater than that was shown on the plans. However it was considered that this increase in the separation distance would not influence the recommendation of the application. In addition, the agent had corrected the plans to reflect this. In addition the agent had removed the incorrect measurements (projection and width details) from the plans, which were for information only and were related to the previous scheme.

The impact on the proposal on The Elms had been addressed within the main report. Whilst the issue of with regards to impact on light and potential overshadowing was taken into consideration within the main report, the legal issue with regards to 'Right to Light' was a civil matter.

The Planning Officers update report concluded that the revised plans and additional comments raised did not alter the conclusions within the main report and it was recommended that the application be determined in accordance with the recommendation within the main report together with a revised condition and an additional condition that covered the revised plans and the details of the chimney stacks.

Objectors were in attendance at the meeting and were given the opportunity to state their case.

Members felt that the application had not addressed the reasons that a previous application (09/2227/FUL) was refused on 3rd December 2009. Members considered that the development would be cramped and the design and layout of the proposed scheme did not provide a high quality built environment. Members also felt that the application did not fully utilise the land available for development and it would result in an incongruous area of open space to the east of the site which would be incorporated as a garden area for one property that would leave the site looking disproportionate and out of character. Members also discussed the provision of a bin store to the front of one of the proposed dwellings and felt that this was a poor quality of design that was not in keeping with the neighbouring properties as it would compromise the quality of the environment.

RESOLVED that planning application 09/2990/REV be refused for the following reasons:-

1. In the opinion of the Local Planning Authority the proposed development would be contrary to Saved Local Plan Policies of the Stockton on Tees Local Plan GP1 (viii), HO3 (iv) and H011 (i) in that the proposed scheme involves a

cramped form of development and does not fully utilise the land available for development resulting in an incongruous area of open space to the east of the site which is incorporated as garden area for one property and leaves the site looking disproportionate and out of character.

2. The inclusion of 3 terraced houses is not sympathetic to the character of the neighbouring houses, the poor quality of design results in the provision of a bin store to the front of one of the proposed dwellings, and a poor level of design of the exterior of the proposed dwellings is not in keeping with the neighbouring properties and therefore has not been designed and laid out to provide a high quality of built environment which is in keeping with its surroundings and would compromise the quality of the environment.

**P 09/2574/FUL**  
**118/09 15 - 19 Yarm Lane, Stockton on Tees,**  
**Construction of accommodation block for ninety-one student bedrooms**  
**and two retail units**

Consideration was given to a report on a planning application for the construction of accommodation block for ninety-one student bedrooms and two retail units at 15 - 19 Yarm Lane, Stockton on Tees.

Following the revision of the proposed scheme, planning permission was sought for the erection of a 4 storey building to provide 2 retail units at ground floor and 91 student bedrooms with ancillary accommodation above.

Five letters of objection had been received and objections were mainly based around there being no demand for such accommodation, the lack of parking provided and the amenity and privacy associated with the development and its surroundings.

The Planning Officers report outlined that the proposed use was considered to accord with planning policy in terms of siting retailing and residential uses within the town centre. The scale and design of the building had been amended following discussions with officers to provide the accommodation over 4 floors of development which included traditional detailing at its lower floors. Following these amendments, it was considered that the scheme was of an acceptable scale, mass and design which was in keeping with its surroundings and would enhance the character and appearance of the conservation area at the position. The Acting Head of Technical Services considered parking provision to be acceptable for this use.

With regard the previous application 08/2129/FUL - Planning permission was sought for the erection of a 7 storey building to provide 2 ground floor retail units with 177 units of student accommodation above. The application was amended following concerns raised by officers and was reduced to provide 2 retail units and 125 units of student accommodation over 6 floors. The application was refused on the 16th October 2008 in accordance with the Officers recommendation. The reasons for refusal were:-

Reason 1

The proposed development is considered to be of a scale and mass which is out of keeping with the existing character of this section of Yarm Lane, thereby being contrary to the guidance of Policies GP1, EN24, S1, S3 and S16 of the Stockton on Tees Local Plan. In addition, it is considered that the contrasting design would further unbalance and detrimentally affect the character of the street scene and conservation area as a result of its dominance created throughout the unacceptable scale and massing of the building.

## Reason 2

In the opinion of the Local Planning Authority without adequate demonstration that the scheme can operate without any parking provision, and in view of the scale and nature of the proposed provision, it is considered that the proposed development would unduly affect the free movement of traffic within the highway, being detrimental to highway safety, contrary to Policy GP1, S3 and S16 of the Stockton on Tees Local Plan and SPD.3 Parking provision for new developments.

The applicant appealed against the decision of the Local Planning Authority and the appeal was dismissed on grounds that the building was out of character with the street scene and would fail to preserve or enhance the character or appearance of the Conservation Area. However, the Inspector considered that that the new building would replace the currently unattractive buildings, that the scheme would improve the wider views from the rear into the site, a glazed section to the rear of the building would be a positive addition to the street scene and that the Council's concerns over lack of parking were not material taking into account the site's position within the town centre and existing opportunities for parking and unloading within the surrounding area. The scheme made no provision for vehicle parking within the site.

Since the determination of 08/2129/FUL the Authority had adopted an interim Student Accommodation Policy Guidance Document which detailed issues surrounding the provision of student accommodation and the need to prevent the over supply of such provision.

Application 09/0074/OUT was submitted on the Supreme Knitwear site for development which included provision of student accommodation. This application was refused taking into account the Council's new policy document on student accommodation. The reason for refusal was as follows:-

1. In the opinion of the Local Planning Authority the applicant has failed to satisfactorily demonstrate there is a proven need for the development; contrary to the Council's adopted interim student accommodation policy guidance document.

This decision was appealed and dismissed by the Inspectorate based on their being no Planning Obligation (Section 106 Agreement) submitted. The issue of need for the student accommodation was considered by the Inspector who considered that very little weight could be given to the Council's Interim Student Accommodation Policy Guidance Document as it was neither a DPD (Development Plan Document) or SPD (Supplementary Planning Document) and was adopted outside of the Development Plan System without the necessary consultation, without complying with the Council's own Statement of Community Involvement and without meeting the requirements of the Strategic

Environmental Assessment. Furthermore the Planning Inspector considered that there were genuine concerns over the deliverability of existing committed new student accommodation and there would not be an oversupply of student accommodation provision.

The current application was submitted for the erection of a 6 storey building comprising 2 no. ground floor retail units and 125 student bedrooms and ancillary accommodation. The scale of the proposed development had been reduced and design amended during the course of the planning application following concerns being raised by officers. As such, planning permission was sought for the erection of a 4 storey building comprising 2 retail units at ground floor with 91 student bedrooms and ancillary accommodation above. The proposed retail units were located fronting onto Yarm Lane with servicing area to the rear which includes 3 parking spaces, refuse store and cycle store.

The proposal had been designed externally to provide 3 'traditional' floors of development with separate frontages onto Yarm Lane for the two retail units and the entrance to the student accommodation. The 4th floor was provided by a contemporary glazed section with a flat roof, which had in part been set back from the main elevations.

With regard consultations the Acting Head of Technical Services had commented that Yarm Lane had three traffic lanes, one of which was bus lane out of town, westbound traffic must therefore use West Row and limited access to Yarm Lane from Prince Regent Street was available.

There were no waiting at anytime restrictions and peak hour loading restrictions in place. Short term parking was available in the parking lay-by opposite the proposal on Yarm Lane. Pedestrian facilities existed at Yarm Lane/Stockton High Street junction and long-stay parking facilities were available at Parliament Street and Skinner Street.

It was expected that minimal traffic would be generated as a result of this development.

It was noted that included within the development was cycle storage, it was noted that it should be sufficient to provide storage facilities for 24 cycles for use by students in line with SPD3: Parking Provision in New developments and this should be confirmed.

There were good pedestrian links to all facilities, including a footbridge over A1305 Riverside and the River Tees to the University Campus.

Three car parking spaces were provided to the rear of the development in what appeared to be a service area. It was therefore necessary that these parking spaces be managed in order to ensure no adverse impact on the highway, this included ensuring that there was adequate reversing space. It was appropriate that a Car Park Management Plan be introduced to describe who would be eligible to use the spaces, how servicing to the retail units would be provided and also how students arriving and leaving at the beginning and the end of term would be carried out.

It was noted that a Travel Plan had not been provided for the development, it



was acknowledged that vehicular trips to the site were limited, however, as part of the overall management of the site it was recommended that a Travel Plan be implemented and a Travel Plan Co-ordinator be appointed to assist residents in travel choices.

With regard to landscape, visual and built environment comments in relation to scale and massing the proposed development had made significant design improvements since the previous application (08/2129/FUL) to maintain within the existing streetscape context whilst providing and improved frontage. The development provided appropriate scale in relation to its neighbouring buildings, rising in height towards the rear of the site. As noted within the Design and Access statement this approach was in line with good practice in relation to building form and site positioning.

In light of the amendments made there were no objections in relation to scale and massing. Following a review of the timescales for proposed public realm works within Yarm Road it was considered that a commuted lump sum would not be required as part of the application.

The Environmental Unit had no objection in principle to the development, however, they did have some concerns and recommended conditions be imposed on the development should it be approved in respect of the following:-

Noise disturbance from adjacent road traffic  
Construction Noise

Tees Archaeology commented that the current buildings at the site overlie the backfilled moat of the demolished Stockton Castle. This was a substantial moat of up to 50 metres in width in parts. Features such as this usually preserved archaeological material remarkably well as they tend to be waterlogged and contain organic remains such as wood and leather which would not otherwise survive. The construction of the new building would cause damage to any archaeological deposits which do survive.

It was therefore recommended an archaeological planning condition which required a programme of archaeological work to take place to assess the deposits and the impact of the construction upon them and inform further mitigation.

Spatial Plans Manager commented that PPS3 and the Tees Valley Structure Plan debated the provision of housing in general and affordable housing although did not specifically focus on the provision of student housing. In general terms, it was advised that housing provision was focused in sustainable locations on previously developed land.

As part of the submitted design and access statement it was highlighted that the need for student accommodation was difficult to prove and continued to highlight that despite recent student accommodation development there was a deficient in quality student accommodation. In addition to this the report discussed that the development would constitute regeneration and support further regeneration of the town centre.

On the 6th November 2008, an interim student accommodation policy guidance

document was considered and approved by Cabinet. This document highlighted that at present an approximate total of 1,700 students require accommodation, 512 of whom were in university accommodation, leaving 1,188 students using the private sector. As there were a potential of 382 bed spaces in Rialto Court this left a remaining maximum demand, at the moment, for a further 806 students to be accommodated. In addition, there were two planning permission for purpose built student accommodation; at North Shore, an outline permission for 520 bed spaces, and at Dovecote Street; a full planning permission for 36 bed spaces. If both of these applications were implemented, there would be an additional 556 bed spaces in purpose built accommodation. Added together with the existing purpose built accommodation (existing in University accommodation and Rialto Court = 894), a total of 1,450 purpose built bed spaces would be available to students. This would leave a maximum of 250 students to be accommodated elsewhere. Given that a certain element of students would want to live in more residential areas, it could be argued that the existing demand and need was met by existing development, extant consents and the private sector.

Whilst the university acknowledged that some growth may occur in the future at Queens Campus this was likely to come from vocational courses and continued professional development, therefore the students were unlikely to require further accommodation. Indeed one of the reports findings was that the availability of both new build and private rental demonstrated through the vacancy rates for the 08/09 academic year indicated that there was a sufficient supply of both private rental housing and new build flats in Stockton for the short to medium term.

Concerns were raised as to problems arising should the purpose built accommodation not be taken up and what its future use would entail owing to difficulties in altering the layout into accommodation for non-students or other commercial uses, particularly with low car parking provision associated with the proposed development.

Neighbours were notified and five letters of objection had been received. The objections and comments were summarised within the report.

The saved planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officers report concluded that Retail units and student accommodation were considered to be appropriate uses within the town centre boundary. The proposed development was considered to be of an appropriate scale which was respectful of the scale of existing development within the Yarm Lane Street scene. The building was of a traditional appearance and detailing would enhance the character and appearance of the Conservation Area. The development would not unduly compromise the use, amenity or privacy of surrounding sites whilst adequate provision had been made for servicing of the site and for demands placed on the site as a result of the uses proposed.

In view of the above the Planning Officer considered that the proposal accorded with saved Policies GP1, EN24, S1, S6 and S16 of the Stockton on Tees Local Plan.

Members were presented with an update report that outlined that as a result of

reconsulting on amended plans two letters of objection had been received. The details of the objections were summarised within the update report and related in the main to issues that had been considered in the main report.

The Acting Head of Technical Services commented that further to revised plans being submitted, the parking spaces had been moved forward thereby increasing the reversing space for vehicles exiting the parking space.

There was no highway objection subject to the development subject to management of the spaces being carried out.

The update report concluded that the application be determined in accordance with the main report.

The agent and objectors were in attendance at the meeting and were given the opportunity to state their case.

Members felt that the proposed development was a modern design of a scale and mass which would be out of keeping with the existing character of this section of Yarm Lane and therefore be contrary to planning policies. Members also felt that the design would unbalance and detrimentally affect the character of the street scene and conservation area as a result of the unacceptable scale and massing of the building. Members also discussed the conditions for the student occupiers and felt that the provision of obscure glazing and sky lights was unacceptable. Members also found that the proposal did not provide satisfactory arrangements for access and parking for students moving their belongings at the beginning and end of term times.

RESOLVED that planning application 09/2574/FUL be refused for the following reasons:-

1. The proposed development is considered to be a modern design of a scale and mass which is out of keeping with the existing character of this section of Yarm Lane, thereby being contrary to the guidance of Saved Policies GP1, EN24 of the Stockton on Tees Local Plan. In addition, it is considered that the design would further unbalance and detrimentally affect the character of the street scene and conservation area as a result of its dominance created by the unacceptable scale and massing of the building.
2. In the opinion of the Local Planning Authority the proposed development would involve the provision of obscure glazing and sky lights which would result in unacceptable conditions for the student occupiers of the building and thereby an unacceptable level of amenity.
3. In the opinion of the Local Planning Authority the proposal does not provide satisfactory arrangement for access and parking for students moving their belongings at the beginning and end of term times.

**P 09/2823/LA**  
**119/09 St Pauls R C Primary, Wolviston Mill Lane, Billingham**  
**Erection of new detached childcare facility and car park extension, new external lighting and erection of new 1.8m high boundary fencing.**

Consideration was given to a report on an application for the erection of a detached childcare facility located to the south of the existing St Pauls R C Primary school building. The proposal also included a new car park which would utilise the existing access to the west of the site, from Wolviston Mill Lane. The proposed development also included the erection of 1.8m fencing to part of the site, 1.5m fencing around the proposed car park, and external lighting in the car park area.

The application was reported for determination by the Planning Committee due to the floor area of the proposed building being above the threshold for determination under delegated powers.

One letter of concern had been received from a neighbouring resident, largely expressing concern concerns over traffic issues.

The application was for the erection of a new detached childcare facility located to the south of the existing school building at St Pauls RC Primary School, Wolviston Mill Lane, Billingham. The proposed external footprint of the building is 264m<sup>2</sup> with an approximate length of 20m and a depth of 14.5m, the maximum height would be approximately 4.2m. The proposed facility would house a maximum of 48 children aged 3-11 at any one time.

The proposal also included alterations to the existing car park. The car park would be expanded in order to allow for additional car parking at the site. A section of land to the north of the site that formed part of the Northfield Comprehensive School site would be transferred to St Pauls RC Primary and would be levelled off to provide additional parking.

The proposal also included the erection of a 1.8m high fence around the perimeter of the site along Thames Road and Wolviston Mill Lane. The fencing would also enclose land surrounding the proposed new building. The 1.5m palisade fencing along Thames Road would be re-used to enclose the proposed car parking area. There would also be new external lighting in the car park area.

The consultees that had been notified and the comments that had been received were detailed within the report.

The saved planning policy that was considered to be relevant to the consideration of the application was detailed within the report.

The material planning considerations in assessing the application were the potential impact upon the amenity of neighbouring properties, in terms of loss of privacy and appearing overbearing and potential implications for highway safety. Also the impact of the design of the proposal in relation to the existing building and the character of the surrounding area.

One letter of concern had been received from the neighbouring resident at number 7 Humber Grove on the basis that there was an existing traffic problem at busy times owing to illegal and inconsiderate parking. Whilst acknowledged the application stated no more teachers would be employed the resident asked if the council could add a provision that the building must not be used to increase pupil numbers.

There were residential properties to the south of the application site. Due to the siting of the proposed extension the school building would project closer towards the neighbouring properties to the south.

However, there would be a separation distance of approximately 70 metres to the closest neighbouring property to the south which front on to Thames Road. As such it was not considered that the proposed development would result in a detrimental impact upon the amenity of this neighbouring property in terms of overlooking or appearing overbearing.

The proposed car park would be located to the rear of the school building and as such it was not considered there would be a detrimental impact on the amenity of neighbouring occupiers.

The Environmental Health department had requested that a condition be placed limiting the hours of construction operations in order to protect the amenity of neighbouring residents.

The proposed children's centre would house facilities that were located within the main school building. As such the number of staff and children attending the site would not increase. Furthermore the additional car parking area would increase the parking provision within the site; the Acting Head of Technical Services had raised no objections to the proposal as it would help to alleviate parking problems along Wolviston Mill Lane by allowing staff to park within the site. Therefore it was not considered that the proposal would result in an adverse impact upon highway safety.

The letter of representation received from an occupier of a nearby property expressed concern over the traffic problems. As there would be no additional staff or pupils as a result of the proposal and additional car parking would be provided, it was not considered that the proposal would result in any significant adverse impact on highway safety.

The design of the proposal was of a contemporary design than the traditional design of the existing building and due to its location would be visible from the surrounding area. However, it was considered that the contemporary design would complement the existing building and would enhance the visual amenity of the surrounding area.

There was existing hedging and trees on site that would be retained and these would provide some screening of the proposed building. The Councils Landscape Architects had recommended various conditions regarding landscaping and retention of existing trees within the site. In addition, as the existing use of the site was education and consisted of a school building it was not considered that the proposed building would result in a detrimental impact upon the character of the surrounding area.

The materials to be used in the construction of the building would be controlled via planning condition and would be agreed before development commences, this would ensure a satisfactory form of development.

The proposed car park was located to the rear of the building and would be

located adjacent to the existing car park. The existing hedging along Wolviston Mill Lane would also provide screening. It was considered that due to the location of the proposed car park and the screening that was provided from the hedge there would not be a detrimental impact on the character of the surrounding area.

The proposed 1.8m fencing would be highly visible from the surrounding area. The Council's Landscape Architect had commented that the fence design was considered acceptable. The existing palisade fencing that enclosed part of the site would be removed and re-used to enclose the car parking area; the Council's Landscape Architect had no objection to this as this matched other sections of this fence style around the school. The proposed new location of the palisade fencing was in a less prominent area than its current location.

Sport England had commented that they would normally oppose any planning application which would lead to the loss of any part of a playing field unless it was considered that one of the specific circumstances applied. It was considered that the development met one of the exceptions, in that the proposed development affected only land incapable of forming, or forming part of, a playing pitch. This being the case, Sport England did not raise an objection to the application.

Members were presented with an update report that outlined that since the publication of the original report additional comments had been received which were detailed within the update report.

An additional petition letter of objection had been received and signed by 16 residents. The objections raised were outlined within the report.

It was considered that the additional comments raised did not alter the conclusions within the main report and it was recommended that the application be determined in accordance with the recommendation within the main report.

The applicant and objectors were in attendance at the meeting and were given the opportunity to state their case.

Members considered that the proposed works would not result in a detrimental impact upon the amenity of the neighbouring properties or upon the character of the surrounding area. Furthermore they considered that the proposal would not result in an adverse impact upon highway safety and would result in Educational benefits for the Community. The proposal therefore accorded with saved policy GP1 of the adopted Stockton on Tees Local Plan and as such was considered to be acceptable.

RESOLVED that planning application 09/2823/LA 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  
90            18 November 2009

93 18 November 2009  
01 18 November 2009  
02 18 November 2009  
91 18 November 2009  
92 18 November 2009  
94 18 November 2009  
95 18 November 2009  
96 18 November 2009

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 shall commence on site until full details of hard surfacing materials for the provision of car parking 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.

4. 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. 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.

5. 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 approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:-

a) commencement of the development

b) or agreed phases

c) or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

6. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority Any tree, shrub or hedge or any

tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

During fencing works the post holes should be hand dug carefully and if any roots greater than 25mm or numerous smaller fibrous roots are encountered the hole should be back filled with the existing soil and a new position for the post holes located where few roots or no roots are found.

7. In order to protect all the existing hedgerows and trees on site sufficient space must be assigned for all site activities and indicated on a site plan. No works will be allowed in the root protection area of any retained tree without agreement with the Local Planning Authority. Consideration needs to be given to following:-

- a) Construction and /or Demolition zones
- b) Site access
- c) Location of site signage
- d) Material storage
- e) Parking for the duration of the works
- f) Space for temporary construction buildings (offices)
- g) Installation of underground services
- h) Grading and storage of soil
- i) Use of temporary fencing

8. A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the:-

- a) development
- b) or approved phases.

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 from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

9. All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

10. Details of all external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected.



**P 09/2758/FUL**  
**120/09 Land to the Rear of Glenmarlen, Darlington Road, Long Newton**  
**Revised Application for the erection of 1 no. dwellinghouse (demolition of existing stables and storage buildings)**

Consideration was given to a report on a planning application for the erection of a detached dwelling on land to the rear of Glenmarlen, Darlington Road Longnewton.

The planning application had been publicised and 5 letters had been received in response, 2 objecting to the application and 3 suggesting conditions be imposed should the application be approved.

Outline planning permission was granted on appeal (Application No 06/0798/OUT) for the erection of 1 no. detached dwellinghouse with attached garage. A planning application for full planning permission was subsequently submitted and refused as the details were not considered acceptable. An appeal against the decision to refuse planning permission was dismissed.

The consultees that had been notified and the comments received were detailed within the report.

Neighbours had been notified and comments that had been received were summarised within the report.

The saved planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The main planning considerations of the application were the principle of development, impact of the development on the character of the area and street scene, impact on neighbours privacy and amenity, access and highway safety, landscaping and drainage.

In January 2007, outline planning permission was granted for the erection of a dwelling house on this site and it was considered that in light of this appeal decision the principle of residential development on this site had been established.

The proposed dwelling would be erected on the site of the original stables and garage. The proposed dwelling would be limited to a single storey height of four metres. The proposed development would be partially screened by existing landscaping to the edge of the site close to the open space area and it was considered that its impact on the open aspect to the Green and the overall street scene would be minimal.

The impact on neighbours privacy and amenity was detailed within the report.

The most recent application that was refused included a two storey element and the inspector dismissed the appeal due to the impact on neighbouring properties. Consideration of this appeal and the inspector's comments were detailed within the report.

Members considered that the revised proposed development had overcome the concerns of the Local Planning Authority and Planning Inspector and would not have an adverse effect on the area or surrounding neighbouring properties, pedestrian and highway safety or landscaping and was therefore in accordance with saved policies of the Adopted Stockton on Tees Local Plan GP1, HO3 and HO11.

RESOLVED that planning application 08/2931/FUL be approved subject to the conditions:-

#### Approved Plans

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
0984/ESP	10 November 2009
0884/1	10 November 2009
0984/2/A	4 January 2010
0984/3/A	4 January 2010
0984/4	10 November 2009

#### Materials

2. Construction of the external walls and roof shall be in accordance with the materials as detailed in Point 10 of the application form, unless otherwise agreed in writing by the local planning authority.

#### Means of Enclosure

3. Prior to the commencement of development details of the means of enclosure shall be submitted to and approved by the Local Authority. Such means of enclosure and the retaining wall as agreed shall be erected before the development hereby approved is occupied and retained for the life of the development unless otherwise agreed in writing by the local planning authority.

#### Landscaping

4. 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 approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the Local Planning Authority in writing in the first planting season following:-

- a) commencement of the development
- b) or agreed phases
- c) or prior to the occupation of any part of the development and the

development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

### Management Plan

5. 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, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or approved phases.

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 Local Planning Authority 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.

### Hard Landscaping

6. Notwithstanding the proposals detailed in the submitted plans the development shall not 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. 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.

### Tree Retention

6. Notwithstanding the proposals detailed in the submitted plans no tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

### Tree Protection

7. Notwithstanding the proposals detailed in the submitted plans no development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning

Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

#### Method Statement - Tree

8. Before development commences a method statement for working in close proximity to the trees (including no-dig construction for the parking areas) on and around the site shall be submitted and agreed in writing by the local planning authority. The statement shall include the methods of working, use of materials and plant, access details and protection of the rooting zone of the trees on and around the site. This method statement should then be carried out in full unless with the prior written agreement to any variation by the Local Planning Authority.

#### Levels

9. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, details of existing ground levels both on site and at adjacent properties which bound the site, finished ground, and finished floor levels for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

#### Contaminated Land

10. In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed 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. Works shall not resume 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.

#### Drainage

11. 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.

#### Construction Hours

12. Working hours on the site shall be restricted to between the hours of

08:00-18:00 on Mondays-Fridays, 08:00-13:00 on Saturdays and not at any time on Sundays or Bank Holidays.

Removal of PD rights

Notwithstanding the provisions of classes A, B, C, D E & F of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (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.

- P  
121/09**
- 1. Appeal - Carl Ross - 10 High Street Norton - 09/1032/FUL - ALLOWED WITH CONDITIONS**
  - 2. Appeal - Mr Mark Edwards - 7-17 Gladstone Street Stockton on Tees - 08/3536/OUT - DISMISSED**
  - 3. Appeal - Mr David Crossthwaite - 27 Lanchester Avenue Billingham - 09/1462/FUL - ALLOWED WITH CONDITIONS**

RESOLVED that the Appeals Decisions be noted.