

Planning Committee

A meeting of Planning Committee was held on Wednesday, 2nd February, 2011.

Present: Cllr Roy Rix (Chairman), Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Robert Gibson, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Miss Tina Large, Cllr Mrs Maureen Rigg, Cllr Fred Salt, Cllr Steve Walmsley

Officers: G Archer, K Campbell, A Glossop, S Grundy, B Jackson, D James, R McGuckin, Mrs J Roberts, P Shovlin, Miss H Smith, Ms C Straughan (DNS); Miss J Butcher, Mrs T Harrison (LD)

Also in attendance: Applicants, Agents and members of the public.

Apologies: Cllr Ross Patterson and Cllr Bill Noble

P Declarations of Interest

99/10

Councillor Rix declared a personal non prejudicial interest in relation to item 5 (The Wellington Club, Wynyard) due to being a member of the Ramblers Association who commented on the application.

Councillor Gibson declared a personal prejudicial interest in relation to item 7 (10 Chedworth Court) and left the room for the duration of the item due to knowing one of the objectors.

Councillor Kirby declared a personal non prejudicial interest in relation to agenda item 6 (1 Chedworth Court) due to having worked for Charles Church the builder and sold the people their homes.

Councillor Kirby declared a personal non prejudicial interest in relation to agenda item 7 (10 Chedworth Court) due to having worked for Charles Church the builder and sold the people their homes.

Councillor Walmsley declared a personal prejudicial interest in relation to agenda item 7 (10 Chedworth Court) and left the room for the duration of the item due to having a family member who had objected to the application.

P Minutes

100/10

The minutes of 17th November 2010 and 8th December 2010 were signed by the Chairman as a correct record.

P 10/3016/FUL

101/10

**Land Parcel at 448093 510847, Seamer Road, Hilton
Proposed erection of 10.26m high meteorological mast for a temporary period of 12 months**

Members were provided with background information of previously approved applications for masts and wind farm in the area, which were detailed in the report.

The current proposal was for the erection of a 10.26m high meteorological mast

on land within the boundary of the approved wind farm, on land between the villages of Hilton and Seamer for a temporary period of 12 months. A total of 38 letters of objection had been received in respect to the scheme. The main objections related to the impact of the development on the character and appearance of the area, surrounding views and there already having been a wind monitoring mast in position in association with the Seamer Wind Farm.

The Head of Technical Services had considered the proposed scheme in relation to its impact on the landscape setting and had raised no objections to the scheme due to its low height and narrow profile having only a minimal visual impact on the wider landscape, particularly in comparison to the 5 turbines already approved for the site. It was further advised that due to its small size, it would not contribute to any cumulative visual impact in the area once the proposed turbines had been constructed.

The principle of the wind farm development and its impact on the landscape had already been established by previous decisions and this impact was of five 125m to tip turbines and other associated infrastructure to be located within this landscape for a period of 25 years. Taking into account the position of the site, the current extant planning approval for the wind farm, the limited scale of the proposed mast and its slender nature and it being proposed for a temporary period of 12 months, it was considered that the mast would not unduly affect the character or appearance of the existing landscape, being in accordance with the requirements of Policies EN13, CS3 and CS10.

The project manager spoke in support of the application advising that as with the previous, approved applications they had taken into account the environment and it would not adversely impact on neighbouring properties. The mast would take 2-3 hours to erect and remove so it would have no adverse impact on the passing vehicles. The mast would be used to monitor vibrations which would assist once the wind turbines were erected. The project manager advised that the application would not have been submitted unless it was required.

The mast would provide the National grid with current, relevant data and would check impact of wind turbulence on the wind turbines.

Objectors advised that there was no need for a new mast as data had already been compiled from the previous mast and requested that the item be deferred until officers obtained confirmation that the National Grid required data from the proposed mast.

Members were asked by an objector to clarify the need for condition 14 and were asked to consider discharging the condition.

An objector requested that the vibration monitor be fixed to the previously approved wind turbines instead of erecting a new mast for the purpose of monitoring vibrations that could affect the wind turbines.

Member's received clarification that clear, accurate vibration data could not be collected if the monitors were attached to pylons. Officers advised that the committee could not consider erecting vibration monitors on pylons as it had not been considered in the application.

Members considered deferring the application for further investigation on the need for the 10 metre high mast when an 80 metre mast had been approved. A deferral would also enable an investigation to be carried out as to the possibility of erecting vibration monitors on existing pylons.

RESOLVED that planning application 10/2430/OUT be deferred for the following reasons:

1. To obtain more technical information to confirm that National Grid are satisfied that the 10 metre mast data is required for monitoring the effects of the wind farm.
2. Clarification from National Grid as to whether wind monitoring equipment could be placed on the pylons to negate the requirement for an additional mast.

P 102/10 10/2430/OUT
The Wellington Club, Wellington Drive, Wynyard
Outline application for construction of a 50-bedroom, 5 star hotel with ancillary leisure facilities and tennis courts and the construction of 44 executive dwellings.

Members were provided with a report detailing an application for Outline Planning Permission for the construction of a 50-bedroom, 5 star hotel with ancillary leisure facilities and tennis courts and the construction of 44 executive dwellings on land at Wynyard Golf Club. The application was in outline with all matters reserved.

The site benefited from an outline planning permission for development comprising 150 bed golf resort hotel with ancillary restaurant and conference facilities, crèche, health club, gymnasium and spa and key worker accommodation (21 apartments and 4 Gatehouses); replacement golf club house, golf academy and driving range facilities, associated access, parking and landscaping together with alterations to the golf course layout and formation of new water features and mounding and the formation of a landscaped park/amenity area for residents (07/0770/OUT). This application was approved in June 2007 and a renewal of this consent was subsequently approved in May 2010.

The main planning considerations of this application were the compliance of the proposal with national, regional and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area and Wynyard Park, the impact on the privacy and amenity of neighbouring residents and highway safety, health and safety requirements, flood risk, ecology and nature conservation and other material planning considerations.

It was noted that the development was on an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise. Development was strictly controlled within the countryside beyond these limits and was restricted to

limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or recreation provided it did not harm the appearance of the countryside. The proposal did not fall within these categories and a judgement was required whether considerations in support of the proposed development were sufficient to outweigh rural restraint policies.

It was considered that there were important material benefits arising from the proposed development with an identified need for top-end executive style homes to accommodate managers and highly skilled people working in local industries but who currently chose to live outside the Borough. The proposed development provided a valuable type of housing not currently well represented in the Borough's housing stock.

It was considered that the proposed development would bring about economic benefits to the Borough and the wider area and as such it was considered these material considerations outweighed the policy objections, which would otherwise apply to the scheme.

The principal of a hotel of this quality in the area was found to be acceptable and the chosen site had been considered to be the best location and did not prejudice planning policy by being located within the Wynyard area. It was considered that the hotel would bring important economic benefits as a potential tourist destination as well as providing a number of new jobs.

Concerns had been raised by residents and others about the traffic impact on the local roads. It was accepted that the traffic associated with the development would have an impact on the area but the Head of Technical Services had confirmed the road system was capable of accommodating the traffic generated as a result of the proposed development and the Highways agency had raised no objection.

Other matters had been considered in detail and the development as proposed was acceptable in terms of highway safety, it did not adversely impact on neighbouring properties or the ecological habitat and flooding and complied with Health and Safety Executive requirements and on balance it was considered that, the development could be supported and the application was therefore recommended for approval subject to going through departure procedures and also a Section 106 agreement to secure affordable housing, local labour agreement and open space and sports provision.

The agent for one of the objectors spoke against the application.

Members made the following observations:-

- An application for a hotel in Thornaby had been refused due to requiring dependence on cars but use of a car would be essential if this application was approved.
- Houses of this nature already existed within the Borough but developers stated that executive houses (big houses with big gardens) were not wanted and so were being demolished to make way for alternative housing, yet an estate of executive housing was being considered.
- A master plan for this area was needed if one did not already exist.

- Hartlepool owned half of Wynyard, if they approved a similar application Wynyard could become another Ingleby Barwick.
- The application was a major departure from planning policy.
- Had education contributions been requested? Officers advised that there currently were sufficient spaces in existing schools so a contribution had not been sought.
- Access from Wellington Drive could prevent the application as there were no other access points. If the land owner did not sell the land to the developer it would be an issue to the development. Members were advised that ownership certificates had been signed and ownership issues were matters to be addressed by the applicant.

Discussion took place and it was noted that the application was attractive due to the number of social houses that could be built in the Borough.

RESOLVED that planning application 10/2430/OUT be approved subject to the signing of a Section 106 Agreement, and the conditions below:-

Heads of Terms

Employment and Training

To use reasonable endeavours to ensure that ten per cent (10%) of the Jobs on the Development are made available to residents of the Target Area; to use reasonable endeavours to ensure that ten per cent (10%) of the total net value of the services and materials used in the Development are provided by Businesses within the Target Area;

The Owner shall take reasonable steps to procure that any contractor and/or sub-contractor nominate an individual to liaise with the Labour Market Co-ordinator;

The Owner shall liaise with the Labour Market Co-ordinator in order to produce the Method Statement to be submitted to the Council prior to the Commencement Date. The Method Statement shall demonstrate the reasonable steps to be taken for each Job vacancy and opportunity for services and materials to be advertised and available to individuals and Businesses within the Target Area and shall include details regarding the provision of monitoring information to be provided to the Labour Market Co-ordinator

Off Site Open Space, Recreation and Sports Facilities Contribution

To pay the Off Site Open Space, Recreation and Sports Facilities Contribution of £283,324.40 to the Council prior to the completion of the 10th dwelling.

Affordable Housing

A financial contribution or provision of off-site affordable housing (the type, tenure, size and phasing to be agreed) to the equivalent cost of the provision of nine affordable housing units on site payable on completion of the 10th dwelling or completed for occupation prior to the occupation of the 20th dwelling on site. The financial contribution will only be spent on affordable housing, and may be used as a whole or partial contribution to the costs of land acquisition, property refurbishment and remodelling including bringing empty homes back into use and other development costs associated with the provision of affordable

housing. The Council reserves the right to make this provision anywhere within the Borough and will be determined taking account of identified needs. The Council will hold the money for a maximum of 10 years from the date it is paid to the Council, after which any money not spent by the Council will be returned.

CONDITIONS

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

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

02. 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.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

03. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990. as amended by the Planning and Compulsory Purchase Act 2004.

04. The development shall be implemented in general conformity with the approved Design and Access Statement and illustrative drawing number 100:03b submitted with the planning application and design code as required by condition 5 below unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the Reserved Matters for the access, appearance, layout and scale of the buildings and landscaping of the site to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

05. No development shall commence until a design code setting out the comprehensive design framework for the provision of high quality executive residential dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the design code should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

06. The permission hereby granted is solely for:

50 bed 5 star Hotel totalling 3030 sq.m (including restaurant and hotel bar)
Associated leisure facilities totalling 2055 sq.m to comprise the following facilities:

3 external tennis courts

Changing facilities

Health/beauty spa – including steam and sauna area and hairdressing facility

Swimming pool

Gym including dance and fitness facilities

44 detached residences and for no other purpose.

Reason: To define the consent and to enable the Local planning Authority to retain control over the development.

07. Prior to or concurrently with the submission of details relating to reserved matters, further studies shall be commissioned and submitted for approval to determine the current status of protected species and of UK and Tees Valley Biodiversity Action Plan (BAP) habitats and species on the whole site including the Site of Nature Conservation Importance. The survey and assessment of data in the study shall be in accordance with the National and Regional guidelines established by English Nature and the study itself shall include mitigation and enhancement plans based on the precautionary principle. The results of the study shall be used to inform detailed landscape design and management plans consistent with the maintenance of key BAP habitats and species. These plans shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure any protected species and BAP habitats and species on the site are fully protected together with necessary mitigation measures and enhancements as part of the landscape design for the development of the site and also to protect and conserve the nature conservation value of the affected Site of Nature Conservation Importance

08. Prior to the commencement of construction of the buildings hereby permitted, details for the implementation, monitoring and review of a Sustainable Travel Plan for the employees and visitors to the development shall be submitted to and agreed with the Local Planning Authority. Such details shall include proposals to meet the objectives for sustainable travel including: targets for mode share, provision of public transport services, provision for cycling and walking to and from the development site, timescales for implementation, monitoring, reporting on and review of the plan.

Reason: In the interests of sustainable development and to reduce the impact of development traffic on the adjacent road network.

09. Before development commences details shall be submitted to and approved by the Local Planning Authority of a scheme to provide electric vehicle charging infrastructure at designated car parking spaces. The electric vehicle charging infrastructure shall be in place and operational before any buildings hereby approved are occupied.

Reason: To ensure that the development incorporates measures to limit carbon emissions, in the interests of promoting sustainable development.

10. Prior to commencement a phased programme for the development of the Hotel and Residential development shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme

Reason: In order that the Local Planning Authority retains control over the development.

11. The development shall secure at least 10% of its energy supply from renewable energy or low carbon sources, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place within any phase until an energy strategy has been submitted to and agreed in writing by the Local Planning Authority for that phase which includes details of how that phase will contribute towards achieving the 10% requirement for the whole development. Thereafter the agreed scheme shall be implemented in complete accordance with the details of the scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development which secures energy from renewable sources.

12. No construction works shall take place on the external surfaces of any building(s) within any Phase until the materials to be used on external surfaces for that building(s) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

13. No development shall take place within any Phase until details of the means of boundary treatment for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

14. Prior to first occupation within any Phase, a scheme for the provision of street furniture for that Phase, including timescale for delivery, should be submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

15. No development shall take place within any Phase until details of the means and location for the storage and disposal of refuse for each unit within that Phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and operational requirements of the Local Planning Authority.

16. No development shall take place within each Phase until the details of the service roads, means of vehicular access to each building, footpath and cycle routes and any highway works, including any off-site highway works as may be required within that Phase, together with a phasing strategy for the implementation of these works, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in the interests of highway safety.

17. No development shall commence within each Phase until a scheme for car parking provision for that Phase, including temporary parking for use during the construction period, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

18. No development shall commence within each Phase until a detailed scheme for landscaping and tree and/or shrub planting and grass for that Phase has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities, layout contouring, drainage and surfacing of all open space areas. The works shall be completed in accordance with a phasing scheme to be agreed in writing with the Local Planning Authority. Should any trees or plants, excluding those within privately owned domestic gardens, within a period of five years from the date of planting die, be removed, become seriously damaged or diseased, these shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

19. No development shall be occupied within each Phase until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and public realm areas, other than privately owned domestic gardens, for that Phase has been submitted to and approved by the Local Planning Authority. Soft landscape maintenance shall be detailed for the initial 5 year establishment period. A long-term management plan for all landscape and public realm areas for a period of 20 years should be submitted to and approved in writing with the Local Planning Authority. The landscape management plan shall be carried out as approved, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

20. All trees on site and within 10m of its external boundary shall be indicated on a Site Survey Plan. These trees shall be assessed in accordance with BS5837:2005 Trees in Relation to Construction. The assessment should concur with the latest site plans and include for the following information:

A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm.

A tree schedule as detailed in Ref. 4.2.6 BS5837:2005;

A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.

Details of any ground level changes or excavations within 5 metres of the Root Protection Area (Para 5.2.2. of BS5837) of any tree to be retained including those on adjacent land.

A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.

Reason: To assess the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained

21. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with a scheme to be submitted to and approved in writing by 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 within a period of five years from the date of planting must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

22. No development shall commence within any Phase until a scheme for the protection of trees (Section 7, BS 5837:2005) either within or within 10m of the site boundary to that Phase 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.

Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.

23. No development shall take place within each Phase until details of the existing and proposed site levels within that Phase have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved plans, unless otherwise agreed in writing

by the Local Planning Authority.

Reason: In order to control the level at which the development takes place to protect the visual and residential amenity of the area

24. No development shall commence within any Phase until a scheme of lighting for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall take place in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

25. No development shall commence until a construction environmental management plan, including a dust management plan, for that phase has been submitted to and approved in writing by the Local Planning Authority including details of earth moving activities, control and treatment of stock piles, parking for use during construction and wheel washing facilities. Thereafter, the construction environmental management plan should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

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

Reason: Unsuspected contamination may exist at the site which may pose a risk to controlled waters

27. 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.

Reason: In the interests of the amenities of the locality.

28. Any part of the development which is to be used for residential purposes shall be built to Lifetime Homes Standards and achieve a minimum of Level 3 of the Code for Sustainable Homes if commenced before 1 January 2013 and thereafter a minimum of Code Level 4 unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3.

29. A parking and event management plan shall be agreed in writing with the Local Planning Authority before the approved development is brought into use. The plan shall include an agreed definition of what constitutes an event. The

approved plan or any agreed variation to that plan shall be implemented to its satisfaction each and every time an event within the agreed definition, is held at the golf resort facility hereby approved

Reason: To ensure adequate parking and visitor control at major events and in the interests of highway safety

30. The route of the public right of way (FP Grindon 13) shall be maintained and kept free of obstruction including construction and building materials, soils, plant and machinery and temporary or permanent buildings, or other external storage during the course of any construction or building works associated with the development hereby approved.

Reason: To ensure that the public right of way is not obstructed by the implementation of the planning permission in the interests of public amenity and safety.

31. The commercial element of the development must obtain at least a very good Building Research Establishment Environment Assessment Method (BREEAM) rating if commenced before 1 January 2013 and a minimum rating of excellent if commenced after that date, unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3.

32. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

confirmation the scheme will operate without flooding up to the 30 year peak storm event plus climate change allowance.

confirmation there will be no risk to people or property up to the 100 year peak storm event plus climate change

details of the outfall structure

details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

33. Prior to the commencement of development, a detailed method statement for the removal or long-term management eradication of Giant Hogweed *Heracleum mantegazzianum* on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Giant hogweed *Heracleum mantegazzianum* during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the

site are free of the seeds root stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: Giant hogweed *Heracleum mantegazzianum* is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

P 103/10 10/2641/FUL
1 Chedworth Court, Ingleby Barwick, Stockton-on-Tees
Application for two storey extension to the side and first floor extension above existing garage.

Members were reminded that the application had been deferred at the previous planning committee in order that a site visit could be carried out.

This application sought planning permission for the extension of the existing house to form additional living space. The main planning considerations with regard to this application were the impact on the existing dwelling and street scene, the impact on the amenity of neighbouring properties and highway safety.

Six letters of objection had been received in addition to that from Ingleby Barwick Town Council.

The objectors were concerned about the size of the extension, its impact on amenity and lighting for neighbours and additional pressure on car parking. In accordance with the approved scheme of delegation, the application was therefore reported to the Planning Committee for determination.

The Head of Technical Services considered that the existing car parking levels at the property were sufficient to meet the standards in the Council's Supplementary Planning Document 3: Parking Provision for New Development and had raised no objections on highway or other grounds to the development.

It was considered that the development did not have an adverse impact on existing dwellings or the visual amenity of the street scene; it would not lead to an adverse loss of amenity for neighbouring properties and did not lead to a loss of highway safety. It was therefore considered to accord with Policy CS3, Saved Policy HO12 of the Stockton on Tees Local Plan and to the advice given within Supplementary Planning Guidance 2: Householder Extension Guide, February 2004 and Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.

The application was recommended for approval subject to a condition to ensure that the materials matched those of the existing house.

The agent advised that the application accorded with planning policy. The extension would not protrude and obscure daylight for the neighbours or impose on the boundary. The agent also advised that car parking for 5 bedroomed

properties already existed on the boundary.

The objector advised that significant light would be lost to his property.

Members noted that it had been beneficial visiting the site, Members had seen the impact that the application would have on the neighbouring property and felt that it would be overbearing and overshadow the neighbouring property. It was also noted that the extension would have a detrimental effect on the street scene as the roads were narrow and the extension would give the appearance of terraced properties. Members felt that the application conflicted with planning policy HO12.

RESOLVED that planning application 10/2641/FUL be refused due to the fact that in the opinion of the Local Planning Authority the proposed development would, by virtue of its size, height, design and position in relation to the neighbouring property, have an overbearing and overshadowing impact and would substantially dominate the neighbouring property to the detriment of the amenity of occupants of the neighbouring property to number 2 Chedworth Court, and adversely impact on the overall street scene contrary to policy HO12 of the Stockton on Tees Local Plan and Supplementary Planning Guidance Note 2: Householder Extension Guide.

P 10/2713/FPD
104/10 10 Chedworth Court, Ingleby Barwick, Stockton-on-Tees
Proposal to build parking area in rear garden and installation of new access gates in existing fence

Members were provided with a report which sought planning permission for the provision of a new vehicle access and parking area for the existing house at 10 Chedworth Court, Ingleby Barwick. The main planning considerations with regard to this application were the impact on the street scene, the impact on the privacy and amenity of neighbouring properties and highway safety.

Letters of objection had been received from nine sources and support had come from two different correspondents. The objectors were concerned about the impact on the overall parking provision in the cul-de-sac and that it would be a reduction in the number of the street parking spaces available to residents. In accordance with the approved scheme of delegation the application was reported to the Planning Committee for determination.

The dwellings at Chedworth Court each had parking in garages and private spaces laid out and constructed, all of which were sufficient for their own needs. Some of these private parking areas were accessed by individual driveways and others by surfaces shared by several dwellings. The number of accesses onto Chedworth Court limited the lengths between them for on road kerb side parking. Most of the kerbside parking was around the frontage of the applicant's property. The existing off road car parking provision for the applicant's and all other dwellings was sufficient to meet the standards in the Council's Supplementary Planning Document 3: Parking Provision for New Development. The provision of additional private parking space was not contrary to the advice in this document or the Core Strategy, Local Plan or Government planning advice.

The Head of Technical Services considered that the proposed access and car parking space would be acceptable in terms of highway safety, subject to the gates not opening over the public highway and loose surfacing materials being kept back from the highway. The Head of Technical Services had also requested that as many of the bushes be retained as possible on the highway verge where the access would be formed. These matters could be controlled by condition.

It was considered that the development would not have an adverse impact on the visual amenity of the street scene or lead to an adverse loss of amenity for neighbouring properties. Any loss to highway safety was not supported by the Head of Technical Services and sufficient to warrant a refusal of permission. It was therefore considered to be in accordance with Policy CS3, Saved Policies of the Stockton on Tees Local Plan and to the advice given within Supplementary Planning Guidance 2: Householder Extension Guide, February 2004 and Supplementary Planning Document 3: Parking Provision for New Developments, November 2006.

The application was recommended for approval subject to a condition to ensure that the materials match those of the existing house.

Objectors raised the following issues:-

- If the application was approved it would reduce parking provision which was already limited. Visitors already have to park on the main road due to lack of space and complaints from number 10.
- An injunction was in place which prevented anyone parking on the shared access to the side of No 10 which had worsened the problem.
- Number 10 already had access via double gates on the other side of their property so objectors did not see the need for additional gates and access.

The Principal Solicitor clarified that nobody had absolute right to park on the highway and the shared space was a shared access not available parking spaces. The Principal Solicitor also advised that the existence of the injunction was not a planning consideration.

Members made the following comments:-

- Number 10 already had four parking spaces and additional parking on the other side of their property so the application was not required.
- Not clear why the applicant did not use the other access.
- Street parking space would be lost.
- Number 10 would just park on the drive and not open the gates and park inside.
- There would be no site lines if the application was approved.
- The application would alter the street scene by the removal of green areas and would obstruct the site lines of the neighbouring drive and garage.

The Principal Solicitor advised that impact on loss of parking was not a planning issue.

In response to a Members concern that there would be a safety issue with

vehicles reversing out of the gate, it would be a tight access and would also ruin the street scene; Officers advised that access would provide sufficient visibility.

Following Members queries, officers advised that a site notice had not been erected but every household in the cul-de-sac had been consulted.

Members observed that approving the application would not resolve existing issues.

RESOLVED that planning application 10/2713/FPD be refused due to the fact:

1. In the opinion of the Local Planning Authority the proposed development would, result in the loss of part of a landscaped area adversely impacting on the overall street scene and thereby making a negative contribution to the local area contrary to the adopted Core Strategy policy CS3 Sustainable living and climate change.

2. In the opinion of the Local Planning Authority the proposed development could result in the parking of vehicles at the entrance to the site which would obstruct sight lines to the adjacent property contrary to the interest of highway safety.

P 10/3078/FUL
105/10 7 The Green, Long Newton, Stockton-on-Tees
First floor en-suite shower room to be built over existing ground floor dining room

Members were provided with a report, which detailed an application for the erection of a first floor extension above an existing dining room extension at ground floor level. The proposal would provide en-suite and dressing room facilities for a disabled user. Two objections had been received from the neighbouring property to the north east of the application site on the grounds that the proposal would appear overbearing, overshadow and result in a loss of light. The objectors also stated that the design of the proposal would result in a detrimental visual impact upon the street scene. Two letters had been received from the applicant in response to these claims.

However given the position of the proposed extension in relation to the primary bedroom window in the side elevation facing the application site it was considered that the proposal would have a detrimental impact upon the amenity of this neighbouring property in terms of appearing overbearing. As such the proposed extension was considered to be contrary to policy HO12 of the Local Plan and was therefore considered to be unacceptable.

Under the scheme of delegation, it was necessary for the committee to consider this application as one of the objector's works within planning services.

The applicant spoke in support of the application.

Members queried whether the removal of the window of the application would address officers concerns; however The Head of Planning informed Members that the application was recommended for refusal due to massing and

closeness of the brick wall of the extension, which would be overbearing on the neighbouring property and that the window was high level and did not cause a privacy issue.

Members suggested that the applicant requested an assessment from an Occupational Therapist; this could provide grants that would facilitate an extension over the garage or one which had a less overbearing impact on neighbouring property whilst still providing for the applicants existing and future needs.

The applicant advised that she did not wish to go down the route of consulting with Occupational Therapists.

RESOLVED that planning application 10/3078/FUL be Refused for the following reason:

In the opinion of the Local Planning Authority the proposed development would, by virtue of its size, height, design and position in relation to the neighbouring property, have an overbearing impact, to the detriment of the amenity of occupants of the neighbouring property to the north, number 8 The Green, contrary to policy HO12 of the Stockton on Tees Local Plan and Supplementary Planning Guidance Note 2: Householder Extension Guide.

P **10/3094/FUL**
106/10 **2 Swinton Road, Stockton-on-Tees, TS18 5NL**
Replacement of porch

Approval was sought for the erection of a replacement porch at No. 2 Swinton Road, Stockton on Tees. No objections had been received as a result of publicising the application.

The application was reported to the Planning Committee for determination as the application had been submitted by a spouse of an employee of the council who works within the Planning Services.

RESOLVED that Planning application 10/3094/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	8 December 2010
SBC0002	8 December 2010
SBC0003	8 December 2010
SBC0004	8 December 2010
SBC0005	16 December 2010

Reason: To define the consent.

2. The external finishing materials shall match with those of the existing building

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

P
107/10 **PLANNING PERFORMANCE**

Members were provided with a report which updates members on the current performance of the planning department for the third quarter of 2010/2011.

RESOLVED that the quarterly report be noted.

P
108/10 **The Localism Bill and Spatial Planning**

Members were provided with a report which advised of the principal elements of the Localism Bill that related to Spatial Planning and outlined some potential implications of the Bill.

The Localism Bill was published on the 13 December 2010 and given a second reading on 17th January 2011. The Bill was intended to give greater powers to communities and included measures to reformed local governance. The scope of the Bill extended across many areas and covered issues such as community empowerment, governance and housing. The Localism Bill also had particular relevance for Spatial Planning and included provision for such measures as Neighbourhood Plans and Neighbourhood Development Orders.

RESOLVED that the report be noted.