

Planning Committee

A meeting of Planning Committee was held on Wednesday, 20th April, 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 and Cllr Fred Salt.

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

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

Apologies: Cllr Bill Noble, Cllr Ross Patterson, Cllr Mrs Maureen Rigg and Cllr Steve Walmsley.

P Declarations of Interest

126/10

There were no interests declared.

P 11/0430/VARY

127/10

Drovers Way Holiday Caravan Park, Coatham Stob, Elton

Application to vary/remove condition 7 No. (Occupancy limitation period) of 03/2069/P (change of use from agricultural land to land for the siting of static holiday caravans and associated landscaping) to allow full year holiday season

Members considered a report on planning application 11/0430/VARY. Planning permission was granted for the change of use of agricultural land to land for the siting of static holiday caravans in 2004. The application approved the siting of 68 static caravans on the site. A condition was imposed that stated the static caravans shall only be used by the same person or family for holiday accommodation and not for permanent residential accommodation and the units shall not be occupied between 1st January and 1st March each year. This condition was imposed to limit the development to holiday accommodation only and prevent permanent residential use.

The applicant sought to vary this condition to allow year round use of the caravan site. The site would remain a holiday caravan park and the caravans would not be used for permanent residential use.

Thirteen objections had been received. Objections mainly related to the impact on highway safety, the impact on nearby residential properties, the visual impact and some concern had been raised about permanent residential use.

The application had also received sixteen letters of support that outlined the benefit to the local economy and businesses and highlighted the environmental and conservation status that the site had achieved.

The Head of Technical Services did not object to the proposal and the Tourism Service Manager supported the application.

Having regard to National Planning Policy Statements and guidance the Planning Officer considered that suitable conditions could be imposed to allow

the use of the caravan park for holiday purposes all year round without allowing permanent residential use.

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

With regards planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

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

The objections received had raised some other points of concern that were addressed in the report. It was stated that some residents of nearby properties were trying to sell their properties and the presence of the caravan site was affecting the sale of the properties, this issue was not however a material planning consideration.

It had also been stated that the application had no justification, the site was commercially unviable and it did not make sense to sell holidays in the winter period. In the applications supporting statement it was stated that the extended open season would be important to the caravan park business in enabling it to better meet customer demand and compete with other holiday parks on equal terms. It was also stated there was a strong customer demand for off-season breaks and winter holidays and the extended season would help to ensure the park could maintain staffing levels and contribute to the local economy for a longer season.

The application had also received support from the Tourism Service Manager who stated that people had invested a substantial amount of money in these caravans and were requesting to use them over the Christmas and New Year holiday periods. It was also stated that the residents in the park add to the local economy throughout their stays by eating out, purchasing from local stores/businesses and fuel and in these current times of recession this could only be of an advantage to the local economy and North East region.

The applicant was in attendance at the meeting and was given the opportunity to speak in favour of his application.

Members felt that the variation of condition to allow for an extended holiday season was acceptable, subject to the imposition of conditions to prevent permanent residential occupation. Members also felt that the proposal would not have a detrimental impact on the visual amenity of the area nor was the proposal likely to have any significant impact on the amenities of nearby properties. It was also considered the extended season would not have a detrimental impact on highway safety.

RESOLVED that planning application 11/0430/VARY 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
B23/02/01 23 February 2011

2. The caravans shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the caravan park shall maintain an up-to-date register of the names of all owners of caravans on the site and of their main home addresses and shall make this information available, at all reasonable times, to the local planning authority.

3. This consent relates solely to the variation of condition 7 of planning permission LPA reference 03/2069/P and does not in any way discharge any of the conditions contained in planning permission LPA reference 03/2069/P dated 25th August 2004.

P 10/3016/FUL
128/10 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 reminded that consideration of this application was deferred at the Planning Committee on 30th March 2011 to enable/ request Broadview and National Grid to attend this meeting to clarify why a 10 metre mast can give more information than an 80 metre and to provide clarification on whether 12 months worth of data is required before erecting the turbines or whether it would be ongoing.

Planning permission was granted in August 2009 for the erection of three wind turbines together with associated crane pads, access tracks, site compound, control building, meteorological mast and access to public highway on land between the villages of Hilton and Seamer on the border between the administrative boundaries of Stockton Borough and Hambleton District Councils. A further two turbines were granted permission within Hambleton on appeal. The combined approvals together form the Seamer Wind Farm. The applicant of the wind farm was also previously granted planning permission on appeal for the erection of a 60m high wind monitoring mast for a temporary period of 24 months. The 60m high temporary mast was erected and had since been removed following the expiration of the 24 month period. The wind farm had not yet been commenced on site as some pre commencement conditions were yet to receive discharge.

The approved wind farm application provided for an 80m high lattice meteorological tower to be erected for the duration of the wind farm operation which was approved as 25 years. The approved scheme also required by condition an agreement to assess the impact of turbulence on the nearby overhead lines. The agreed scheme regarding impacts to the overhead lines

details that Broadview Energy would supply the National Grid with wind speed data both before and after the commencement of the wind farms operation and the developer had the ability to achieve this taking into account the existing approval. The applicant had agreed a scheme with the National Grid to monitor turbulence on their apparatus, which was acceptable to officers. This was then amended although remained to be acceptable. The agreed scheme was achievable as the applicant had the ability to erect the 80m high wind monitoring tower already approved as part of the wind farm scheme, although this proposed 10.26m high mast may reduce the need or duration for the significantly larger wind monitoring tower being erected, thereby limiting the overall impact of the wider scheme on the surrounding landscape.

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 45 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.

This application was considered by the Planning Committee on the 2nd February and 30th March 2011 and was deferred in order to obtain information and confirmation from the National Grid and the applicant.

With respect to the queries raised from the first deferment, the National Grid confirmed that the wind data from the mast would be acceptable to them and that they could not agree to the equipment being fixed to the 400kV overhead line support structure. With regards to the second deferment, the National Grid advised that the monitoring is a type of pilot but this situation was certainly not unique as there are other wind turbines constructed in relatively close proximity to overhead lines which were operating without issue. The National Grid had confirmed they did not have concerns about the stability of the line.

Broadview had stated that the application for the 10 metre mast was unrelated to the 80 metre mast which already had permission as they serve separate purposes and would not be erected at the same time. The 10 metre mast would be erected in advance of the turbines so that it could provide data for before and after the erection of the turbines. The 80 metre mast (permanent lattice tower) would be used to monitor and manage the performance of the

turbines and although it would be capable of providing the data required by National Grid, it would not be erected until the turbines are erected as it required a large crane which would only be on site for the erection of the turbines.

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, the Planning Officer 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 applicant was in attendance at the meeting and outlined that the 10.26m mast would assess the impact of turbulence on nearby overhead lines. This was not a health and safety issue but the mast would provide data to see if turbines would affect the life of the conductors on the nearby overhead lines.

Three objectors were in attendance at the meeting and were given the opportunity to make their representations. The objectors outlined that they felt there was a health and safety issue and that Broadview and National Grid had failed to answer the question of whether they had a fall back option. The objectors referred to policy information from National Grid on tower and conductor design, capability and maintenance and the potential impact of wind turbines on overhead lines. The objectors also made reference to the wind turbines that had been constructed at Bicker Fen which were also constructed in relatively close proximity to overhead lines and that the impact on those overhead lines has not been made clear. The objectors felt that the benefits of obtaining the data would be disproportionate compared to the risks involved and that the data should be collected from the Bicker Fen site. The objectors requested that if the application was approved the data from the 10.26m mast should be made available to Stockton on Tees Borough Council and residents of Hilton and Seamer.

Members then discussed the application at length. Members questioned the applicant as to what would happen if the data found that there was an impact on the overhead line conductors. The applicant responded that there would be no health and safety issue but there may be a cost implication in that the conductors may need replacing every four years and not every six years. Members also requested why the applicant did not obtain the data from the Bicker Fen site. The applicant outlined that they needed the data to measure before and after the wind turbines are erected so that they can measure the impact on the conductors. The applicant also agreed that Stockton on Tees Borough Council and residents of Hilton and Seamer could have access to the data from Broadview obtained from the 10.26m mast but he could not speak for National Grid. A vote then took place on the application and the application was approved.

RESOLVED that planning application 10/3016/FUL be approved with conditions subject to:-

1. Approved Plans

The development hereby approved shall be in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority.

Plan Reference Number	Date on Plan
5396B-04-N-090	25 November 2010
5396B-04-N-04-091	25 November 2010
5396B-04-N-092	25 November 2010
5396B-04-N-093	25 November 2010

2. Temporary approval – 12 months

This consent is granted for a temporary period of 12 months from the date of its erection, when, unless the renewal of consent is sought and granted, the use, mast, equipment and all associated infrastructure and ancillary works shall be removed from the site and the land shall be reinstated to its former condition.

P **PLANNING PERFORMANCE** **129/10**

Consideration was given to a report on the performance of the planning department for the final quarter of 2010/2011.

There were a range of National Indicators (NI) against which the performance of the Council was assessed, Planning being directly responsible for 3, (NI 157, 159 and 170) and having an impact on another 7 (NI 154, 155, 185, 186, 187, 188 and 198). Of these, 2 planning indicators had been included in the Local Area Agreement (LAA), in consultation with GONE and the Local Strategic Partnership (LSP) i.e. Renaissance Board. NI157 related to the processing of planning applications against targets which the local authority sets itself for major, minor and other applications and NI 159 related to the supply of ready to develop housing sites, which was determined through the RSS housing numbers and the SHLAA.

DCLG had published a draft version of the Single Data List (SDL), which was intended to replace the previous performance management systems – National Indicators, etc. The SDL was a basic catalogue of all the data collections (existing and proposed) that central government departments require from local authorities. There were 152 separate data collection topics within this Single Data List, with 64 of these relating directly to Development and Neighbourhood Services. The large majority of these data collections were undertaken within services, with only a small number of new data collections proposed.

Within the SDL, the data collections that would be required from Planning remained much the same as what is reported already, and revolved around the performance of managing planning applications, enforcement, green belt land data, previously developed land data and the Annual Monitoring Report for the LDF. There would be 5 data collections and then 41 data topics within the 5 broad collection areas. It was therefore proposed to continue reporting performance to Committee in the 2011/12 along the lines that was already done, although what actual performance targets needed to be achieved within the performance of planning applications was still unknown.

With regards to performance to date, it had been the responsibility of each local authority to set their own targets. For LAA purposes it was necessary to set annual targets (for a three year period) to show the ambition to have the service improving year-on-year from a baseline position. The expectation of GONE was for ambitious and stretching targets since SBC was an "excellent" Council.

The targets that had been set for the 3 year period were detailed within the report.

The reporting timeframe for the NI targets ran from 1st April - 31st March each year. The report presented the performance of the final quarter in that period, 1st January - 31st March 2010.

The NI indicator was reported on the annual year-end results, and the fourth quarter's results were detailed within the report. Performance results achieved for that period were 88.89% for major applications, 93.75% for minor and 91.30% for others, achieving above performance in all 3 categories. The report highlighted performance over this quarter and the year.

Performance in all categories had exceeded NI 157 targets in the final quarter of the year and for the full reporting year of 2010/2011. 16 out of 18 major applications were determined within the 13 week target. Application 10/0258/EIS - Former ICI Anhydrite Mine at Billingham for the storage of hazardous waste was approved by Members at Planning Committee in February and was delayed due to protracted negotiations between the applicants and the Environment Agency, and application 09/1199/FUL was for the extension to Tesco in Ingleby Barwick, and the section 106 had just been signed so that the decision could be issued accordingly.

With regards to the income generated in the year to date, there was a shortfall of £103,218 as against the target set, although this was off set to some extent by the vacant posts and other measures in place. Income for the final quarter itself was actually up by £15,189, and it was hoped that this trend continues as the economy starts to recover. Members were reminded that the HPDG had been abolished which left another £50,000 budgetary pressure. This had been supplemented from the additional HPDG awarded last year and held corporately so was covered for 2010-2011. However it would remain as a budgetary pressure in the medium term financial plan in future years. With the changes proposed to Planning with setting fees, neighbourhood plans and referendums to fund, there would be greater budgetary pressures in future years.

The Head of Planning and on behalf of all staff in Planning Services took the opportunity to thank Councillors Rix, Salt, Beaumont and Noble for their valuable input into Planning Committee and the LDF Members Steering Group, and in particular a special thanks to Councillor Rix for his steadfast support for Planning and excellent leadership through many a difficult committee.

The Chairman thanked the Head of Planning for all of the hard work and dedication that she and her staff had put into continuously improving performance of the Planning Department. The Chairman outlined that he would be writing to all of the Officers in the Planning Department thanking them for their hard work and dedication.

RESOLVED that:-

1. The performance report be noted.
2. The hard work and dedication of Planning Staff and colleagues within other

service areas to continuously improve performance and the reputation of the Council against the background of the current difficult economic circumstances be acknowledged.

P **Local Development Framework Steering Group Minutes**
130/10

Consideration was given to the Local Development Framework Steering Group minutes of the meeting held on 25th January 2011.

RESOLVED that the minutes of the Local Development Framework Steering Group be noted.

- P** **1. Appeal - Mr CARlo Orsi - 24 Washford Close Ingleby Barwick -**
131/10 **10/2879/FUL - DISMISSED**
2. Appeal - Mr Alfio Dell'aquila - 383 Norton Road Stockton - 10/2942/FUL -
DISMISSED

RESOLVED that the appeals be noted.