

Planning Committee

A meeting of Planning Committee was held on Wednesday, 10th August, 2011.

Present: Cllr Robert Gibson (Chairman), Cllr Jean Kirby Cllr Jim Beall, Cllr Evaline Cunningham (vice Cllr Norma Stephenson, Cllr Philip Dennis (vice Cllr Andrew Sherris) Cllr John Gardner, Cllr Alan Lewis, Cllr David Rose, Cllr Michael Smith, Cllr Mick Stoker and Cllr David Wilburn (Vice Cllr Paul Kirton)

Officers: B. Jackson, H. Smith, P. Shovlin (DNS); J Butcher and M. Henderson (LD)

Also in attendance: Cllr J. Fletcher (Eggescliffe and Eaglescliffe Parish Council) and a number of members of the public.

Apologies: Cllr Gillian Corr, Cllr Paul Kirton, Cllr Andrew Sherris, Cllr Norma Stephenson

P Declarations of Interest

15/11

Cllr Dennis declared a personal non prejudicial interest in the item entitled The Grange, Urlay Nook Road, Eggescliffe as he was ward Cllr for Eggescliffe.

P The Grange, Urlay Nook Road, Eggescliffe **16/11 Erection 9 No. Townhouses and associated works**

Members considered a report and update relating to a planning application for the erection of 9 terraced properties fronting Urlay Nook Road. The proposed scheme would have rear parking accessed from a private drive off Valley Gardens and a single unit accessed directly from Urlay Nook Road.

Members noted that several letters of objection had been received in respect to the development which mainly related to the impact of noise and disturbance, the over development of the site, additional traffic accessing Urlay Nook Road from Valley Gardens and the impact of overspill parking onto Valley Gardens at point in close proximity to its junction with Urlay Nook Road.

In addition Eggescliffe and Eaglescliffe Parish Council had expressed concern that the provision of 9 homes would overcrowd the site leading to a lack of amenity space; there would be no suitable place to provide a play area and no pedestrian crossing for children to safely access other play areas. The Parish Council also considered that the rear elevation of the properties was architecturally unappealing and the height of the properties might have a negative effect on the street scene and existing neighbouring properties, particularly the bungalows.

The Committee was provided with information relating to other applications, previously received in respect of the site. Previous applications included one for the erection of 16 apartments and associated parking and amenity space. This had been refused by the Committee but was upheld subject to conditions and a Section 106 Agreement for £8750 toward open space and recreation.

The Committee noted the comments of other consultees to the application and was also provided with details of planning policies and material planning considerations associated with the application.

It was explained that Planning officers considered that the proposed

development was of an appropriate scale and appearance for its surroundings, would achieve an acceptable access and provide for the parking and manoeuvring of vehicles to meet the demands of the future users of the development. The existing TPO'd trees and hedgerows were to be retained, being considered a valuable natural feature of the site. It was proposed that suitable conditions be placed on any approval, to protect the hedgerows.

The position of dwellings, parking and residential curtilages was considered not to have any undue impact on the surrounding properties, being a reduction to the scheme as approved on appeal.

Subject to control over matters as detailed within the conditions, it was considered that the proposed scheme complied with the relevant saved Local Plan Policies and Adopted Core Strategy Policies and it was therefore recommended that the application be approved.

Cllr John Fletcher was in attendance to present the views of Eggescliffe and Eggescliffe Parish Council and raised the following:

- the Parish Council was pleased to see that the existing 'eyesore' would be removed.
- the Council was concerned over the intensity of the development and the lack of amenity. Cllr Fletcher queried how provision of the open space, recreation and landscaping offsite, via the 106 agreement, would benefit the residents.
- the adjacent A67 road was very busy and the Parish Council had received many complaints about speeding. Crossing the road would have to be done with care and it would not be possible for a child to cross without adult supervision.
- noted that the section 278 agreement referred to in the report was not mentioned in the proposed conditions.

Members considered and discussed the information and representations relating to the application. Members comments included:

- There should be no more development in Eggescliffe until a solution to the traffic 'bottle neck' in Yarm was found.
- the impact of the proposed development appeared to be less than the proposals included in the scheme that had been approved on appeal.

The Committee voted on the application.

RESOLVED that

Planning application 11/1322/FUL be Approved subject to a Section 106 being signed in respect the following Heads of Terms and subject to the following conditions;

Heads of Terms

A sum of £8750 to be paid to the Council for the provision of off site open space, recreation and landscaping.

The developer use best endeavours to use 15% of labour from the local area and gain 15% of services from the local area.

1 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 |
|-----------------------|--------------|
| 1113/L103 REV D | 21 July 2011 |
| 1113/L100 | 27 May 2011 |
| 1113/L101 | 27 May 2011 |
| 1113/L104 | 27 May 2011 |
| 1113/L105 REV A | 21 June 2011 |

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

3. Hard and soft landscaping and boundary treatments shall be implemented on site in accordance with a scheme of such to be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations and inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All existing or proposed utility services that may influence proposed tree planting should be indicated on the planting plan. The scheme shall detail methods for maintaining and where necessary replacing landscaping and boundary treatments until transfer of ownership. No property hereby approved shall be occupied until the hard and soft landscaping for that plot has been completed in accordance with the approved scheme.

4. Prior to the commencement of the development hereby approved and unless otherwise agreed in writing with the local planning authority, a written scheme shall be submitted to and approved in writing by the local planning authority which details how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superseding guidance. Before the development is occupied the renewable energy equipment shall have been installed and brought into use to the written satisfaction of the local planning authority. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

5. The hedgerow forming the western boundary of the site shall be retained and not removed. This hedgerow shall not be reduced below 1.8m in height and 0.8m in width without the written agreement of the Local Planning Authority.

6. No development hereby approved, including any preparatory works to the ground, shall commence until a scheme for the protection of trees has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the precise location of trees to be protected, protective fences, areas of material storage within the site and root protection zones. The approved scheme of protection shall be implemented on site prior to construction works commencing on site and shall be maintained throughout the period of construction.

7. Notwithstanding details hereby approved, the two parking spaces serving plot 8 of the development and the internal turning head shall be laid out in accordance with a plan to be first submitted to and approved in writing by the Local Planning Authority prior to development being commenced.

8. Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings 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.

9. Prior to any commencement of development on site a scheme of construction methods for the internal highway and parking spaces shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme.

10. Prior to works commencing on site a scheme for a temporary car park and materials storage area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use prior to commencement of any development.

11. No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

12. 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 carried out in accordance with details first 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.

13. Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front elevation and the highway without the prior written approval of the Local Planning Authority.

14. Notwithstanding the provisions of classes A or E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the garages hereby approved shall be retained as such in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

15. No development hereby approved shall be commenced on site until a scheme of existing and proposed site levels and a scheme of construction methods and materials for the internal road and driveways has first been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme.

P
17/11

Planning Performance

Members considered a report relating to Planning performance.

It was explained that the Department of Communities and Local Government had published a draft version of the Single Data List (SDL), which was intended to replace the previous performance management systems – National Indicators, etc.

Within the SDL, the data collections that would be required from Planning remain much the same and revolve around the performance of managing planning applications, enforcement, green belt land data, previously developed land data and the Annual Monitoring Report for the LDF.

It was proposed to continue reporting performance to committee in 2011/12 along existing lines, although what actual performance targets the Council would have to achieve within the performance of planning applications was still unknown. It was the intention therefore to set the same performance levels as there were for 2010-2011 in the current year.

Members noted performance for the first quarter of 2011/12:

Determination of major applications had been 80% set against a target of 75%.
Determination of minor applications had been 91.49% set against a target of 80%.

Determination of other applications had been 94.03% set against a target of 88%.

RESOLVED that the performance report be noted and the hard work and dedication of staff to continuously improve performance be acknowledged.

- P**
18/11
- 1. Appeal - Mrs Margaret Jamieson - 17 Cranwell Grove Thornaby - 10/2535/X - DISMISSED**
 - 2. Appeal - B Green and A Coulthard - 62/64 Meridian Way Stockton - 09/2951/COU - ALLOWED WITH CONDITION**

**3. ENFORCEMENT APPEALS - 55b The Green Billingham (Pizzeria) -
DISMISSED AND ENFORCEMENT NOTICE UPHeld WITH A VARIATION
55c The Green (former Mewsagents)- DISMISSED AND ENFORCEMENT
NOTICE UPHeld WITH A VARIATION.**

RESOLVED that the appeals be noted.