

Planning Committee

A meeting of the Planning Committee was held on Wednesday 31 May 2006.

Present: (Meeting) Councillor Stoker (Chairman); Councillors Mrs Beaumont, Brown, Coombs, Faulks, Leonard, Perry, Mrs Rigg, Rix, Salt, Smith, Walmsley and Womphrey

Officers: B Jackson, F Farooqui, R McGukin, J McMahon, S Milner and Mrs M Robinson (DNS) Miss J Butcher and Mrs T Harrison (LD);

Apologies for absence were submitted on behalf of Councillors Cains, Cherrett, Kirton and Patterson.

208 Declarations of Interest

Councillor Mrs Apedaile declared a personal/prejudicial interest in relation to agenda item 3 – (06/0834/FUL) 1 West Hartlepool Road, Wolviston, Conservatory to the side and relocation of shed due to being the applicant.

Councillor Mrs Rigg declared a personal/prejudicial interest in relation to agenda item 3 – (06/0834/FUL) 1 West Hartlepool Road, Wolviston, Conservatory to the side and relocation of shed due to being a friend of the applicant.

Councillor Rix declared a personal/non prejudicial interest in relation to agenda item 11 – Boathouse Lane Planning & Design Brief Supplementary Planning Document and Sustainability Appraisal due to being a member of the Ramblers Association.

Councillor Walmsley declared a personal/prejudicial interest in relation to agenda item 6 – (06/0709/OUT) Bridge Road, Stockton, Outline application for student housing development and associated means of access and agenda item 11 Boathouse Lane Planning & Design Brief Supplementary Planning Document and Sustainability Appraisal due to the fact that his wife worked for the applicant.

209 1 West Hartlepool Road, Wolviston, Billingham – Conservatory to Side and Relocation of Shed (Planning Application 06/0834/FUL)

The application site was a detached dwelling located on the corner of West Hartlepool Road and Sunderland Road. The dwelling was located with the conservation area of Wolviston and outside the permit of an Article 4 Directive.

The applicant was a Ward Councillor and the application was therefore required to be determined by the Planning Committee.

RESOLVED that Planning Application 06/0834/FUL be approved with the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plans; unless otherwise agreed in writing with the Local Planning Authority – Drawing Nos: SBC001, DRWG001, DRWG002.
2. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been approved in writing by the Local Planning Authority.

(Councillor Mrs Rigg left the room for the duration of the item having declared a personal/prejudicial interest in relation to the above item due to being a friend of the applicant. Councillor Mrs Apedaile, who was in attendance in the public gallery, also left the room for the duration of the item.)

210 Copsewood, The Avenue, Eaglescliffe – Outline Application for the Erection of 7 No Detached Dwellinghouses and Associated means of Access (Planning Application 06/0712/OUT)

The outline application proposed the erection of 7 dwellings in the grounds of Copsewood, a Victorian villa to the south of The Avenue, Eaglescliffe. Matters relating to design, external appearance and layout were reserved for future consideration. A plan had been submitted for consideration showing detached dwellings with garages.

The development amongst others entailed the demolition of outhouses, greenhouses and the removal of protected and unprotected trees. The site contained a number of protected and unprotected trees including an orchard. The Avenue was an unadopted road with no formal footway serving residential properties and Teesside High School.

The application had been publicised and 51 letters of representation had been received prior to the original report with additional responses received and summarised in the updated report which was provided to Members at the meeting. The overwhelming majority (although not exclusively) objecting to the proposed development, mainly in respect of highway safety, loss of a heritage feature, loss of flora and fauna and impact on protected species, loss of trees and residential amenity and issues related to the visibility splay at the entrance to the site and the potential for the development to impact on protected species, namely Great Crested Newts and nesting birds and the relationship between the proposed dwelling and the approved scheme in the garden of the adjoining property (Kirklands).

Letters of support and commenting letters had also been received.

Egglecliffe and Preston-on-Tees Parish Councils, whilst commenting on the benefits of the scheme, still raised concerns. Councillor Fletcher was similarly positive about the proposal whilst raising concerns.

Additional post-submission information had been submitted regarding access,

protected species, Objection Response Statement and a Tree Removal schedule.

The main planning considerations in respect of the proposed development related to planning policy implications, impact on the amenity of the residents of existing and proposed dwellings, impact on the street scene and visual amenity, access and highway safety considerations, impact on any archaeological and nature conservation interests and land contamination.

A reasoned risk assessment had been submitted by the Agent in respect of the presence of Great Crested Newts and English Nature had advised that they were in acceptance of the assessment.

The Local Planning Authority had received comments from the Head of Integrated Transport and Environmental Policy who was satisfied with the details of the scheme and had not raised any objections subject to appropriate conditions being attached.

The spacing between plot 1 of the approved scheme in Kirklands and plot 4 was restricted and there would undoubtedly be an impact on privacy and amenity. However, through careful design and siting of windows within plot 4 and subject to adequate boundary screening it was considered that the situation would not be significantly detrimental.

In light of the information supplied and responses from consultees it was considered that the proposed development accorded with adopted structure and local plan policies.

Members were advised by the Planning Officer that the plans attached to the original report were drawn by the Agent and were inaccurate; therefore, the correct ordnance survey map had been included in the update report which was provided to Members.

The Agent advised Members of the planning history related to the site and advised of the benefits of the proposed development which would be that Copsewood and the coaching house would not be demolished but would be restored, would make efficient use of land, would require only 4 protected trees to be removed with a minimum impact on wildlife, the proposed development accorded with national and local policy, the current owner had gone to great lengths to consult with local residents regarding the proposal and had made amendments to the scheme as a result, the applicant had also worked closely with the Planning Department.

The applicant's traffic Consultant advised that if the application was approved it would not have a detrimental effect on traffic or the traffic lights on Yarm Road, therefore, safety and congestion would not be affected.

A member of the public spoke in support of the application.

Objectors addressed the Committee expressing concerns as noted in the report and also that an Urban Capacity Study had been undertaken, however, the Copsewood site had not been included; there was not a requirement to change the site, it did not comply with HO3 and GP1, there would be difficulty with the access unless the opening was 6 metres wide, there were concerns regarding children's safety going to and from school, the proposed dwelling closest to Kirklands would be overlooked on two sides; English Heritage had suggested including Copsewood in a new Conservation Area, the character of the area would suffer and concerns were raised regarding the Darlington/Stockton railway which could be affected and if damaged would be in breach of PPG3.

A couple of Members expressed disappointment related to building on a site of historical setting, however the majority acknowledged the improvement made to the scheme and the retention of the original house and coach house. Members also acknowledged that the traffic problems were not due to or exacerbated by the development

RESOLVED that Planning Application 06./0712/OUT be approved, subject to the conditions regarding time limits, approved documents, approval of reserved matters - external appearance, design and landscaping, tree protection measures, tree planting, bat mitigation, finished levels, materials, means of enclosure, boundary treatments, removal of permitted development rights parts A to E, details of the footway, provision of visibility splays, details of internal access roads including 4.8m in width and 1.8m wide footways, details of the easterly access to The Avenue in accordance plan to be submitted, archaeology - Darlington to Stockton Railway and Copsewood Villa, drainage, parking, storage for recycling storage/refuse in each property, working period, contaminated land, gate shall be inward opening only details of the mechanism, management scheme for the internal access road, and Badger Mitigation measures as set out in 'Copsewood Badger Report' dated 17 March 2006.

211 Northshore Footbridge Linking Teesdale to Northshore Developments, Crossing the River Tees Fudan Way to Northshore Road, Stockton-on-Tees – erection of Combined Footway/Cycleway Bridge linking Teesdale Business Park and Northshore Development (Planning Application 06/0670/FUL)

In 2001 a Masterplan was prepared on behalf of English Partnerships for the core North Shore (formerly Northbank) site. Within the Masterplan an essential component of the site infrastructure was the construction of a pedestrian cycle bridge to connect Teesdale on the south bank to the Northshore site, in order to integrate developments on both sides of the river and facilitate the expansion of the University of Durham's Queens Campus.

In June 2002 planning permission was granted for two linked planning applications relating to the Northbank area of the River Tees. Outline approval for a mixed-use development of offices, educational research, residential, cafe, pub/restaurant together with landscaping, footpath/cycleways and riverside promenade. Full permission was also granted for the infrastructure works (i.e. main road system etc) and reclamation of the site.

The reclamation and infrastructure works were to allow implementation of the Northbank scheme. The application incorporated and built upon the previous permission (99/1716/P) approved on 10 December 1999 for the proposed site roads including a pedestrian bridge over the River Tees linking the site to Teesdale adjacent to the University.

During 2003 a decision was made by Tees Valley Regeneration and its partners that an opportunity existed to raise the profile of the bridge by selecting a unique design that was both iconic and created an instantly recognisable landmark for Northshore. The aspiration for the bridge was that it would change perceptions of the area acting as a catalyst for investment and development in this regionally significant site.

An International design competition was held to commission the services of a 'signature' architect to design a prestigious and distinctive bridge. The Community was engaged in the selection process by the holding of exhibitions and the opportunity of voting for the favourite design. The selected and most popular design had now been submitted for planning approval.

The Head of Integrated Transport and Environmental Policy advised that the applicant was currently discussing the detailed technical highway matters with Stockton Borough Council Officers. Public Footpath No 37 would be diverted around the proposed construction site and the bridge had been designed to link directly with the path once all the work was completed. A commuted lump sum of £300,000 was requested from the applicant for future maintenance of the bridge when it became a Council asset. The Head of Integrated Transport and Environmental Policy therefore requested that a Section 106 Agreement be entered into between the Council and the Applicant for the funds to be paid to the Council upon adoption of the bridge.

Concerns were expressed by the Castlegate Marine Club about the impact of the bridge on the movement of river traffic under the bridge, both the applicant and British Waterways were aware of these concerns, however a response was provided from the Applicant's Agent in relation to the objection raised by the Castlegate Marine Club which advised that a consultation meeting was held with CMC prior to the planning application being submitted. The bridge height would allow boats to travel to the Barrage, although one or two would need to lower their masts. However, in the last ten years, there had been very few high masted boats using that section of the River and those that did could lower their masts if the bridge became a problem. The bridge would not be a hazard to navigation as there was more than adequate water depth and width of channel for the variety of vessels that use the River.

RESOLVED that subject to a Section 106 Agreement securing monies for future bridge maintenance, Planning Application 06/0670/FUL be approved subject to the following appropriate conditions:-

1. The development hereby permitted shall be begun before the expiration of THREE years from the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority - Drawing Number(s):- 300 rev 2; 301 rev 2; 302 rev 2; 303 rev 2; 304 rev 2; 305 rev 2; 306 rev 2; 307 rev 2; SBC001.
3. A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
4. Details of all external finishing materials shall be agreed with the Local Planning Authority before the development is commenced.
5. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.
6. No development approved by this permission shall be commenced until:
 - (a) A desk study report providing information on the previous land uses

and an evaluation as to whether ground contamination (i.e. landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted and approved by the Local Planning Authority (LPA).

- (b) If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated (as defined in section 57 of the Environmental Protection Act 1990 with respect to the proposed use), a site investigation including a risk assessment report shall be submitted to and approved by the LPA.
 - (c) Full details of the proposals for the removal, containment or treatment of any contamination [the 'reclamation statement'] shall be submitted to and approved by the LPA.
 - (d) If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the LPA.
 - (e) On completion of the remediation scheme a validation report shall be submitted to and approved by the LPA.
 - (f) All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.
7. Details of all external lighting of the footbridge shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is installed. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.

212 Bridge Road, Stockton-on-Tees – Outline Applicant for Student Housing Development and Associated Means of Access (Planning Application 06/0709/OUT)

The application sought outline planning permission for student accommodation on the former SCS Furniture Store site with a block of student accommodation. The application was in outline with all matters reserved except for means of access.

A previous full application for student housing development and associated external works on the application site (05/3429/FUL) was refused planning permission in February 2006 on the following grounds:

- 1. In the opinion of the Local Planning Authority the proposed redevelopment of this site in isolation would constitute piecemeal development and thereby prejudice the achievement of the future comprehensive redevelopment of the surrounding area and regeneration of the local economy delivered through a high quality and commercially successful mixed use development for the area through an established masterplan and agreed design principles.
- 2. In the opinion of the Local Planning Authority the proposal detracted from the architectural character and setting of nearby Listed Buildings and the character and appearance of the Stockton Conservation Area by reason of its

design, general bulk and massing thereby resulting in an incongruous pattern of development detrimental to the amenities of the area.

The applicant had appealed against the refusal of planning permission and an appeal hearing had been scheduled for the end of June 2006.

The application sought to establish whether the development of the site for student accommodation was acceptable in principle. It was noted that detailed design was reserved for future consideration. One of the reasons for refusal of the previous full submission related primarily to the design of the scheme and it was considered with the imposition of strict controls on the future design the grounds for the previous refusal could be addressed.

The site occupied an important riverside location and formed part of a larger site known as Boathouse Lane. Given the important riverside gateway location, the Council had prepared a planning and design brief to guide future development on the site and surrounding area. The draft brief had been subject to a six week consultation exercise ending on 6 March 2006 and all comments and subsequent amendments having been agreed by the Head of Planning Services were to be duly considered by Planning Committee and then delegated authority had been granted to the Corporate Director of Development and Neighbourhood Services together with the Cabinet Member for Regeneration to adopt the Brief. Importantly, the brief sought to deliver a high quality and commercially successful mixed use development for the area through an established masterplan and agreed design principles.

In terms of prematurity and prejudicing the achievement of the future comprehensive redevelopment of the surrounding area, the issue was considered in detail as part of the previous full application. It was recognised that the site was a highly sustainable location in a central urban location being close to existing facilities and services in Stockton Town Centre, including the University Campus and public transport. Clearly development on this site would influence the nature and scale of development elsewhere especially the development along the important river frontage. It was considered that with the imposition of strict controls covering the reserved matters including siting and design and the development being in accordance with the agreed masterplan then the issue of prematurity could be satisfactorily addressed.

The North East Assembly had made representations in support of the application which was provided in an update report.

Durham University had submitted comments opposing the planning application as the form, facilities and location of the proposed development would be wholly inappropriate for students at Queen's Campus.

The University intended to make Queen's Campus self sustaining which could only be achieved by providing all facilities, including student residences, in close proximity ensuring that students would have a true Durham Collegiate experience and by co-locating residences and a conference centre it would be possible to provide a comprehensive conference package. The application consequently undermined the University's plans for the Northshore and undermined the broader economic regeneration in respect of Northshore.

The Agent addressed the Committee advising that it was a key site and was a gateway site in need of regeneration. Their scheme would not have a prejudicial impact on the students but would support them.

A representative for the University of Durham advised that the application would jeopardise the University's ability to expand and would jeopardise their ability to have students close to the University.

A Member expressed concern relating to the limited parking if the site eventually became regular flatted development as opposed to student housing. Parking standards for University housing was less than that of regular flatted developments and therefore requested an increase in the parking facilities to deal with the possibility of the development eventually becoming a regular flatted development. However, the Member was advised by the Highways and Transportation Officer that increasing the parking would not be possible.

A Member enquired what would happen if the applicant changed his mind and requested to build luxury flats instead of student accommodation and what could be done regarding the parking.

The Principal Solicitor advised that condition 19 of the proposed conditions was restricted to student accommodation and if the applicant wished to change the type of development they would be required to come back to Committee to request the amendment of the condition.

RESOLVED that Planning Application 06/0709/OUT be approved subject to the applicant entering into a unilateral undertaking in accordance with the Heads of Terms below and the following conditions:-

Unilateral Undertaking

Heads of Terms

1. A commuted lump sum of £8,000 for the provision of pedestrian improvements at the signals at Boathouse Lane.
2. A commuted lump sum of £22,000 for the provision of public transport infrastructure.
3. A commuted lump sum of £15,750 for the provision/improvement of open space.
4. A commuted lump sum of £15,000 for improvements to the riverside footpath/cycleway.

Conditions

1. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority - Drawing Number(s): - 0523/029, 0523/040.
2. The Reserved Matters shall be in accordance with an agreed Master Plan the boundaries of which correspond to those included in the Council's Draft Supplementary Planning Document, Boathouse Lane Planning and Design Brief which shall be submitted to and agreed by the Local Planning Authority prior to the submission of the first Reserved Matter.

The Masterplan shall indicate:

- The position of the main buildings;

- The landscape framework and landforms;
- The phasing of the development;
- Detailed Design code of, materials, urban scale, design and massing of buildings to achieve an iconic regionally significant land mark building(s) maximising views, pedestrian/cyclists permeability/accessibility, treatment of public realm, landscaping, recycling facilities.

The development shall be implemented in general conformity with these approved documents unless otherwise agreed in writing.

3. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.
4. 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.
5. Approval of details of the siting, design and external appearance of the buildings and the 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.
6. 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.
7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for landscaping, tree and/or shrub planting. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The work shall be carried out during the first planting and seeding season following the substantial completion of the development, and any trees or plants which within a period of five years from the date of planting, die are removed or become seriously damaged, shall be replaced with others of a similar size and species in the next planting season unless the Local planning Authority gives written consent to any variation.
8. Notwithstanding the submitted information, further details of the paving, lighting, railings, footpath construction and materials, and retaining wall shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.
9. New discharges of foul and surface water must be on separate systems and surface water discharges must be prevented from entering public surface water or combined sewers.
10. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

11. Prior to any works commencing on site a scheme of finished floor levels for all buildings within the development shall be submitted to and approved in writing by the Local Planning Authority. The finished floor levels shall be no lower than 5.0 m AOD. and the buildings shall be built in accordance with these approved details.
12. The development shall ensure safe routes of access to the building above the predicted tidal flood level and no lower than 4.60 m AOD.
13. Throughout the construction period any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
14. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the LPA.
15. Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the LPA. The approved scheme shall be retained throughout the construction period.
16. Prior to the use commencing the building shall be insulated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedroom in adjacent flats
17. Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB (A) L 10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme to be submitted to and approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.
18. No development approved by this permission shall be commenced until:
 - (a) A desk study report providing information on the previous land uses and an evaluation as to whether ground contamination (i.e.: landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted and approved by the Local Planning Authority (LPA).
 - (b) If the outcome of the above indicates that the site may have a

contaminative use or is likely to be contaminated [as defined in section 57 of the Environmental Protection Act 1990 with respect to the proposed use], a site investigation including a risk assessment report shall be submitted to and approved by the LPA.

- (c) Full details of the proposals for the removal, containment or treatment of any contamination [the 'reclamation statement 1 shall be submitted to and approved by the LPA.
 - (d) If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the LPA.
 - (e) On completion of the remediation scheme a validation report shall be submitted to and approved by the LPA.
 - (f) All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.
19. The development hereby approved shall be used solely for the purposes of accommodation of students undertaking full time educational courses.
20. A Management Plan and Travel Plan shall be submitted to the Local Planning Authority and approved in writing. The Plans shall establish clear targets and procedures for monitoring and review of such targets, and the Local Planning Authority shall agree any requisite infrastructure improvements and implementation timetable. The Plans shall be implemented as approved.
21. Prior to the commencement of development a Section 278 Agreement shall be entered into for highway works to be provided to the access on to Bridge Road to accommodate only left in and left out traffic movements and be adopted to the tangent point approximately 10 metres back from Bridge Road.

(Councillor Walmsley declared a personal/prejudicial interest in the above item to the fact that his wife worked for the applicant and therefore left the meeting for the duration of the item)

213 Eagle House, Martinet Road, Thornaby - Erection of 2 No Three Storey Apartment Blocks (27 Apartments in total) with Associated Car Parking and Cycle Storage Facilities (Demolition of Existing Workshop/Office Building) (Planning Application 06/0745/FUL)

The application site was situated on the corner of Martinet Road and Master Road, Thornaby. The site included two existing business sites and associated land.

The proposed apartment blocks were to be arranged in an L-shaped format upon the site with a shared parking area to the south west of the site providing a total of 27 no units. Amended plans had also been received to address the Head of Integrated Transports and Environmental Policy's comments in terms of access and highway safety aspects.

Vehicular access into the site was via Martinet Road and had a gated access to the main parking area containing 37 parking spaces. 3 visitor spaces were provided

outside of the area adjacent to the main entrance. A Transport Assessment had also been received to support the application.

Overall the proposed development accorded with policies GP1, HO3 and HO11 of the adopted Stockton-on-Tees Local Plan.

The Agent addressed the Committee and advised that they had worked a great deal with Planning Officers to provide a good proposal with interesting design and which would be a positive addition to the area.

A Member advised that the proposed area for the flatted development would be ideal and would be in the right place, especially as a new town centre would be built.

A Member observed that the development site was originally intended to have a community space; however, the report indicated that there would be a commuted lump sum.

A Planning Officer advised that they had been guided by Sara Edwards of Care For Your Area – the Open Space Audit was underway and indicated that rather than have isolated sites, making the development unviable, it was better to improve the existing area.

Members were advised that Village Park residents had been consulted.

RESOLVED that Planning Application 06/0745/FUL be approved subject to the following conditions and the applicant entering into a unilateral undertaking for a commuted lump sum toward open space provision:-

1. The development hereby approved shall be carried out in accordance with the following approved plan(s) unless otherwise agreed in writing with the Local Planning Authority. Drawing Number(s): 05093 S [00] 01, 05093 D [00]10 Rev A, 05093 D [00] 11 Rev Band 05093 D [90] 10 Rev B.
2. Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).
3. Before the commencement of the development hereby permitted, works for the disposal of sewage shall be provided on the site to serve the development, the details of such works being first submitted to, and approved by, the Local Planning Authority. The sewage disposal shall be completed in accordance with the approved details prior to any other building for which permission has been granted.
4. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
5. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

6. Before the use commences the building shall be provided with sound insulation to ensure that adequate protection is afforded against the transmission of noise between living accommodation and bedrooms in adjacent flats in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented in accordance with these agreed details.
7. Before the permitted dwellings are occupied, any living rooms or bedrooms with windows affected by traffic noise levels of 68db (A) L10 (18 hours) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme to be submitted to and approved by the Local Planning Authority for the protection of this proposed accommodation from traffic noise. Such a scheme shall be implemented in accordance with these agreed details.
8. No development approved by this permission shall be commenced until a desk study report providing information on the previous land uses and an evaluation as to whether land contamination is likely to be present is submitted and approved by the Local Planning Authority (LPA). If the site has a contaminative use a site investigation including risk assessment report and full details of the proposed method for the removal/treatment shall be submitted and a validation report shall be submitted upon completion of the works and approved by the LPA. All works referred to above shall be carried out by or under direct supervision of a qualified environmental consultant.
9. Notwithstanding any description contained within this application, no development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be implemented in accordance with the approved details. These details shall include proposed finished levels or contours; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; A detailed planting plan indicating soil depths, plant species, numbers, locations, and sizes, planting methods, maintenance and management; minor artefacts and structures (e.g. furniture, play equipment, signs and lighting etc) proposed and existing functional services above and below ground (e.g. drainage power, communication cables, pipelines etc, indicating lines, manholes, supports etc) retained historic landscape features and proposals restoration, where relevant.
10. No construction activity shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 8.00 am – 1.00 pm Saturday and nor at any time on Sundays or Bank Holidays.
11. Full details of the covered cycle storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

214 1 & 3 Langdale Close, Eaglescliffe, Stockton-on-Tees - Erection of Pitched Roof Extension to Incorporate One Additional Flat, including Dormer Windows to Front and Rear, Two Storey Extension to the Rear (to incorporate Staircase), with Associated Car Parking (Planning Application 05/0800/FUL)

The application site was a two storey flat roof building, which was sub-divided into two flats some time ago. The site was surrounded by a number of bungalows whilst a number of trees with Tree Preservation orders (TPOs) existed around the site.

The application sought to create a third flat in the roof space approved with dormer windows to the front and rear. A two storey extension was also proposed which would provide access into the third flat.

The proposal originally sought retrospective permission for sub-division of the first floor flat into two flats however; the applicant had removed the element from the proposal due to difficulties in providing car parking for the whole development.

Objections had been received from 13 neighbouring properties in relation to loss of privacy, impact on the character of the area, trees, car parking, daylight, height of the building, expressing the need for obscurely glazed windows.

Members were advised that the plans which had been provided were the wrong way round.

An objector addressed the Committee and advised that Langdale Close was a turning area for cars and refuse trucks had to reverse into Langdale Close.

1 Langdale Close did not have sufficient parking space as it was, therefore, residents were not happy that the application would produce more vehicles requiring parking.

The objector advised that the previous Head of Planning had stated that living accommodation in the roof space would not be allowed in an area surrounded by bungalows. However, the applicant had put two flats in where there should only have been one and was now trying to convert the roof into living space.

An objector addressed the Committee and advised that there was already no parking space and the window on the stairwell overlooked his garden and the windows in the roof space also overlooked them and another property.

A Member expressed disappointment due to the fact that an application for the site had come before Committee some time ago. The Committee requested a lower pitched roof but were advised that if the applicant went to appeal the Committee could not specify the pitch of the roof and objectors were told that living accommodation would not be allowed yet the applicant attempted to convert the roof into living accommodation. Other Members expressed concern regarding allowing living accommodation in the roof space as they thought it would be overbearing and out of character.

RESOLVED that Planning Application 05/0800/FUL be refused as in the opinion of the Local Planning Authority the provision of living accommodation in the roof space and dormer windows would have an unacceptable overbearing impact on the amenity of the adjacent residents and would be out of character in area of bungalows, contrary to Policy GP1, HO3 and HO11 of the adopted Stockton-on-Tees Local Plan.

215 2 Harland Place, Norton, Stockton-on-Tees – Change of Use of Ground Floor from Residential to Hot Food Takeaway (A5) (Planning Application 06/0581/COU)

The planning application sought approval for the part change of use from a residential dwelling to a hot food takeaway at 2 Harland Place, Norton.

The application site was located in the Norton Conservation Area and 7 letters of objection had been received from local residents/businesses.

The application accorded with the local plan policies.

The applicant advised that the house which he owned could not be let because planning approval for a takeaway had been approved by Planning for the property next door.

An objector addressed the Committee and advised that they had wine bars and takeaways either side of their property and advised that there was already a great deal of litter.

A Member advised that they had looked at the area and Environmental Health had been heavily involved and stringent regulations had been put in place in the area. A Member requested that if the application was approved, the conditions would not be relaxed and was advised by Planning Officers that the stringent regulations had come about from an appeal and could therefore not be relaxed.

RESOLVED that Planning Application 06/0581/COU be approved subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority - Drawing Number(s): - SBC001.
2. Details of any extract ventilation or fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises shall be first approved by the Local Planning Authority and installed before the development hereby permitted commences and therefore retained in full accordance with the approved details.
3. Before the plant is brought into use the building, structure and plant shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be thereafter maintained to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background levels of noise as agreed without the agreement in writing of the Local Planning Authority.
4. The use hereby permitted shall not be open for business outside the hours of 1800 hours and 2330 hours with the property being closed and vacated by 2400 hours each day.
5. Before the use commences, the building shall be provided with sound insulation to ensure that adequate protection is afforded against the transmission of noise between the residential accommodation above and the hot food takeaway with a scheme to be submitted to and approved in writing by the Local Planning Authority.
6. The drainage system to the premises shall be provided with a suitable grease trap so as to prevent the discharge of grease into the public sewer.

Members were provided with a report which updated them on the current performance of the Planning Section for the year 1 April 2004 to 31 March 2005 and advised the current position.

A key part of the domestic agenda of the last government was to modernize and reform the delivery of the Planning Service which was manifested in the new Planning Act (Planning and Compulsory Purchase Act 2004) and also in the establishment of the Planning Delivery Grant (PDG) regime, which was now well established.

Initially a sum of £350 million was set aside to help Local Planning Authorities (LPA) modernise their services over a three year period. After an initial minimum allocation in year one, future years receipt of PDG was dependent upon individual LPAs making progress towards the government agenda. Subsequently the government extended the period of the grants availability for a further two years, with the last allocation being granted for the year 2007-2008. Stockton had been allocated £99,633 for the current year, with 25% of the sum to be spent on capital projects.

In terms of the processing of applications, the government established new national targets, broken down by categories of development and LPAs were rewarded for their progress towards meeting those targets. It is required that the LPA reached the targets by March 2007. Members were reminded that this referred to the BVPI 109 a, b and c, where 60% of all major applications were to be determined within 13 weeks (109 a), 65% of minor within 8 weeks (109 b) and 80% of others within 8 weeks (109 c).

In addition to setting national targets, the government also introduced minimum standards of performance. All local authorities were required to deliver services, which met the minimum level. Authorities who had demonstrated performance consistently below the minimum level were designated 'standards authorities' and were told that they needed to improve their levels of performance or face sanctions.

In response to the issues of poor performance, a number of direct and immediate responses were made to the delivery of the Planning Service in 2004 and 2005. The responses covered administrative, political and resource areas of the service.

From the end of 2002 until 2004 overall performance showed a steady rise and the national targets for 'minor' and 'other' categories were met. Progress on 'major applications' was somewhat erratic over the period and overall was below the national target and intervention standard. However, Stockton-on-Tees Borough Council received fewer major applications than any other category and the final year end outturn could be affected significantly by just a few applications being determined within the time period.

During 2004/2005, performance fell due to well-documented and reported reasons which resulted in the Environment and Regeneration Select Committee carrying out a review of the Service from June to October 2005. A report was published in November 2005 with the main findings of the report being incorporated into the Performance Improvement Plan.

RESOLVED that Planning Committee note the report and the issues raised within, and further quarterly reports be presented to Members to monitor performance, achieve targets and highlight any areas for further action within the current year.

217 Boathouse lane Planning and Design brief Supplementary Planning Document and Sustainability Appraisal

A report invited members to consider and endorse the content of the revised Boathouse Lane Planning and Design brief and accompanying Sustainability Appraisal.

The draft document was published for a six week consultation period which ended 6th March 2006. All comments had been duly considered and where appropriate amendments had been made so that it could be adopted as a Supplementary Planning Document and become a material consideration in the determination of any development proposal for the area known as Boathouse Lane.

RECOMMENDED that Members note and endorse the amendments made to the Planning and Design Brief so that it may be approved for adoption by the Corporate Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration.

(Councillor Rix declared a personal/non prejudicial interest in the above item due to being a member of the Ramblers Association. Councillor Walmsley declared a personal/prejudicial interest in the above item due to the fact that his wife worked for the applicant wishing to build on the land and therefore left the meeting for the duration of the item)

218 Items for Information

1. Appeal by Mr Keiran McMurray – Site at the Grange Urray Nook Road, Eaglescliffe Planning Application 05/0984/FUL – Dismissed.
2. Appeal by P Hughes – Site at Holmfield, Yarm Back Lane, Stockton-on-Tees Planning Application 05/3017/ADV – Dismissed.
3. Appeal by Mr Nook – Site at 90 Durham Road, Stockton-on-Tees Planning Application 05/0797/COU – Dismissed.
4. Appeal by Geo Toomey Limited – Site at Land to the rear of 433-439 Thornaby Road, Stockton-on-Tees - Planning Application 05/0464/OUT – Dismissed.
5. The Chair advised Members of the Committee and members of the public that he could no longer approve the use of powerpoint by applicants or objectors and requested that all information intended for Members of the Committee be submitted as paper copies 10 days prior to the Committee meeting, thus enabling the information to be sent to Members with the agenda to ensure that Members had the opportunity and the time to read the information prior to the meeting.