

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 13th September, 2006.

**Present:** Cllr M Stoker (Chairman), Cllr Mrs J Beaumont, Cllr D T Brown, Cllr D Cains, Cllr M Cherrett, Cllr K Faulks, Cllr M Frankland, Cllr P Kirton, Cllr K Leonard, Cllr R Patterson, Cllr M Perry, Cllr Mrs M Rigg, Cllr F G Salt, Cllr M E Womphrey

**Officers:** Miss R Hindmarch, B Jackson, Mrs C Llewellyn, S Milner, Miss H Smith, Ms C Straughan, Mrs M Whaler and P Whaley (DNS); Miss J Butcher, Mrs T Harrison and Miss S Johnson (LD).

**Also in attendance:** Members of the public, agents and applicants

**Apologies:** Cllr C Coombs, Cllr R Rix, Cllr M Smith and Cllr S Walmsley.

### **533 Minutes of the meetings held on 12th July and 2nd August 2006.**

CONCLUDED that the minutes were signed by the Chairman as a correct record.

### **534 06/2255/FUL**

#### **Land north of Lawson Street, Stillington, Stockton on Tees Revised application for residential development of 56 no. dwellings**

Detailed planning permission was sought for the erection of 56 dwellings on a brownfield site on the northern edge of Stillington Village. The site currently had outline approval for 43 dwellings as a result of an earlier application.

The scheme proposed a mix of detached two storey and terraced three storey properties and other ancillary development including an internal road network, which connected to the existing highway network.

Four letters of objection had been received in respect to the application. Objections were based on the impact of the development on the area, the impact of surrounding development, its suitability in the surrounding environment and within the village and the lack of provision within the locality.

Several issues had been raised with the applicant relating to the relatively minor internal layout, highways issues and landscaping. The applicant intended resolving the issues in a revised plan, which was expected to be submitted imminently.

The proposed development was considered to be acceptable in principle and was considered to have adequate internal spacing and design detail to meet the requirements of planning policy. The highways aspects of the proposed development were expected to be amended to become adequate for their purpose through the submission of a revised detail. It was considered that the development would not have a significant impact on the surrounding land uses as a result of the distancing in between uses and as a result of their specific nature whilst the properties within the proposed development would not unduly suffer with regard to amenity as a result of surrounding uses.

In view of the above it was considered that the proposed development accorded

with policies GP1, HO3 and HO11 of the Stockton on Tees Borough Local Plan.

A contribution of £25,000 in lieu of the provision of on site formal and informal play space had been accepted by the Councils open space adoptions officer taking into account the applicants other indicated commitments to contributing to other community works in the area that would support recreation within the immediate vicinity.

The Head of Integrated Transport and Environmental Policy had advised that parking levels were adequate, that a relaxation of the radius to 6m at the eastern junction with Lawson Street would be necessary and would be undertaken as part of a Section 278 agreement. Furthermore, it was advised that conditions were required relating to the provision of speed reduction measures at the sites access, that dropped kerbs are required to achieve a continuous footpath link to local amenities and that the footpath link which ran adjacent to St. John's Church should be constructed to an adoptable standard.

The Head of Integrated Transport and Environmental Policy requested information indicating a right of access over the access to the southwestern corner of the site in order to ensure that it could be achieved. The information submitted had been considered by the Councils legal department and was not considered adequate to prove such a right. The Head of Integrated Transport and Environmental Policy had advised that without such a right being achieved over the access then a minor internal rearrangement would be required for the insertion of a turning head. It was therefore considered that the situation could be satisfactorily resolved by imposing a Grampian condition.

Additional indicative planting had been shown to the western boundary of the site adjoining the industrial premises, although detailed planting would still be a conditional requirement to result in an appropriate scheme. The applicant considered there would be sufficient landscaping to the southern boundary on the land adjoining the site. The Councils Landscape Officer accepts both details.

The applicant had made additional comments in respect to the surface water and foul water drainage for the site, whilst the precise details of drainage were controlled by condition. The Environment Agency indicated the need for a Flood Risk Assessment to be carried out although based on the status of the area indicated they would not comment on such a report, instead it would be for the Local Planning Authority to consider. No further information had been submitted. Taking into account the existing outline approval for the site and bearing in mind the sites location on a hillside and no major watercourses were in the immediate vicinity it was considered that the requirements for a Flood Risk Assessment and mitigation would be conditional, which would then be considered in conjunction with the drainage proposals.

Several areas of the internal layout had been amended to achieve a better relationship between dwellings and to address highway matters of parking and turning of vehicles, specifically with respect to plots 26, 27, 28, 46 and 53. The revised details were considered to result in the improvement of the internal layout.

If the issues were unresolved by 27th October 2006, the application would be

automatically refused as the application would have exceeded its expiry date.

The Ward Councillor observed that the drains in Stillington were inadequate. Although it would not affect the development as it would be built on porous land, it would however affect other neighbouring areas and therefore enquired whether the applicant would be prosecuted rigorously if the issues were not sorted out.

A Planning Officer advised that condition 10 ensured that the issue would need to be dealt with prior to completion.

The applicant advised that they were committed to carrying out improvements on the community centre and were happy with taking a unilateral agreement.

RESOLVED That the determination of planning application 06/2255/FUL be delegated to the Head of Planning Services and approved subject to outstanding issues being addressed to the satisfaction of officers and subject to the following recommended 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):- Planning Layout: 134/01/D

Emergency access: C.950.G.001.I1

House Types: SBC0001, 369/0553/H1216/PL1 & PL2, 0553/H1225/PL1 & PL2, 100 Milldale, 100 Dovedale

2. 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 approved in writing by the Local Planning Authority.

3. 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 development shall be carried out in accordance with these approved details.

4. Notwithstanding details hereby submitted all means of enclosure of the development hereby approved shall be carried out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to such works commencing.

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for hard and soft landscaping and its maintenance, details of ground modelling, protection of existing trees, drainage runs and street furniture for all areas of open space within the site. 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.

6. No development hereby approved shall take place unless in accordance with the mitigation detailed within the protected species report (Ecological Surveys: Land to the North of Lawson Street, Stillington, Stockton on Tees, Carried out by Barrett Environmental Limited and dated July 2006) including but not restricted to adherence to timing restrictions.

7. No Development hereby approved shall commence on site until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out, submitted to and approved in writing by the Local Planning Authority. The study must identify industry and geologically based contaminants and include a conceptual model of the site. If it is likely that contamination is present a further Phase 2 site investigation scheme involving risk estimation shall be carried out, submitted to and approved in writing by the Local Planning Authority prior to any development hereby approved commences on site.

8. No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence 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.

9. Before the commencement of the development hereby permitted, a scheme for the protection of the proposed dwellings from noise from the adjacent units shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied. Such a scheme will include acoustic fencing and mounding where necessary.

10. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.

11. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor installed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the Interceptor.

12. During construction of the scheme hereby approved there shall be no development works undertaken outside the hours of 8.00a.m. - 6.00p.m. Weekdays, 8.00a.m. - 1.00p.m. Saturdays and at no times on Sundays or bank holidays.

13. Notwithstanding the provisions of classes A, B, C, D & 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 buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

14. No development hereby approved shall be commenced until a right of adequate access over the south western access to the site has been proven to the written satisfaction of the Local Planning Authority and no dwelling constructed in accordance with the permission shall be occupied until the second access is completed to the satisfaction of the local planning authority”

15. Notwithstanding the details hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement on site;

- a) a scheme of speed reduction measures on both accesses into the site; and
- b) a scheme to provide adequate dropped kerbs in order to provide a continuous pedestrian footpath link to local amenities; and
- c) a scheme to ensure the footpath link which runs adjacent to St. Johns Church is constructed to an adoptable standard.

Following approval in writing by the Local Planning Authority to the above details, the approved works shall be implemented on site and brought into use either within 3 months of the occupation of the final dwelling on site or within 6 months of the occupation of the 40th house on site, whichever is the later.

16. The development hereby approved shall not be commenced on site until a Flood Risk Assessment and associated mitigation statement for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

17. Notwithstanding details hereby approved the development shall be carried out in accordance with a scheme detailing the provision of the type and opening operation of garage doors within the development which shall first be submitted to and approved in writing with the Local Planning Authority.

The determination of this planning application does not absolve the developer from complying with the relevant laws relating to protected species and the need where appropriate to obtain and comply with the terms and conditions of any licences required as described in Part IV B of ODPM Circular 06/2005 titled Biodiversity and Geological Conservation.

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**Application 06/1918/EIS**

**Vopak terminal Teesside limited, Seal Sands Road**

**Erection of renewable fuels plant with associated infrastructure and utilities work, admin building and workshops, roads, pipe bridges and car parking**

Planning permission was sought to erect buildings, plant, equipment, access and car parking to produce rapeseed oil and meal on a site at Seal Sands. The oil would be used to produce biodiesel at off-site facilities and the meal as fuel for power production. The biodiesel would be used instead of ordinary diesel

as a cleaner renewable energy source. Due to the nature of the proposal the application had been the subject of a formal Environmental Impact Assessment. The assessment had not revealed any significant environmental concerns with the operation. Any adverse impacts could be mitigated with their implementation being secured by planning conditions.

The main consideration with the application was location of the development and of the individual environmental considerations, the potential impact on the local ecology given that the site was close to the Seal Sands Site of Special Scientific Interest (SSSI), which was part of the Special Protection Area (SPA) and Ramsar site. English Nature had lodged an objection but it would be withdrawn if an "appropriate assessment" under the Habitats Regulations was carried out, which would ascertain that the proposed development would not adversely affect the integrity of the SSSI or the SPA and Ramsar site.

Officers felt that an appropriate assessment had been carried out.

In an update report English Nature advised that in general the report satisfactorily addressed previous issues they had raised.

Usage of the site and adjacent area by roosting water birds (especially curlew) had been properly described, and possible impacts assessed. Similarly, potential air quality issues had received adequate attention. The three key mitigation measures proposed (provision of a screening / acoustic barrier fence, seasonal restrictions on construction works at height, and restrictions on the type and timing of piling operations) were sufficient to ensure no adverse effect on the integrity of the SPA/Ramsar site. Provision was requested to be made for post-construction monitoring of water bird usage of the adjacent Vopak land, to see if the predictions in the Report proved to be accurate. A full year of survey, involving 40 visits was recommended.

In-combination effects with other plans and projects had not been in an appropriate assessment.

A detailed conservation plan was recommended to be drawn up for the site, based on the general principles outlined in Section 9.6 of the ES ('Mitigation Measures'). Such a plan could usefully prescribe management which might maintain or enhance breeding bird interest in the area.

The update report noted that as a result of the comments made, the Appropriate Assessment had been amended and forwarded to English Nature. Its final comments are awaited.

Amendments had been received seeking to address the concerns of the Head of Integrated Transport and Environmental Policy. The Royal Society for the Protection of Birds was yet to comment.

The Health and Safety Executive had confirmed they had no objection to the proposal.

Additional information and a revised plan had been submitted to satisfy the Head of Integrated Transport and Environmental Policies concerns.

The Head of Integrated Transport and Environmental Policies advised that the plans did not indicate a visibility splay for the northern access, although it appeared that the appropriate splay could be provided, but it was not clear.

The details in relation to the travel plan fell short of what would be accepted. A Travel Plan should be conditioned with the application.

Parking requirements for the development were either 1 space per 45sqm of gross floor area (GFA) or 4 spaces per 10 employees (whichever was the greatest). The GFA of the site was 8455sqm, which equated to 188 spaces. Based on employee numbers the site would require 28 spaces, the proposal had 13 visitor and 28 staff spaces which they felt was an acceptable amount of parking provision.

Given the location of the site the cycle provision was acceptable, but should be secure and covered.

Providing a condition was included relating to a work place travel plan, the Head of Integrated Transport and Environmental Policy had no objections to the proposed development.

A Member observed that the report had addressed the traffic impact related to the construction traffic; however no mention had been made of the increase of traffic that would be generated from the company business.

Members were advised that a Traffic Assessment had been carried out and that The Clarences already had a Traffic Regulation Order and a weight restriction had been imposed for which the Police were responsible for enforcing.

The route that would be used by the Heavy Goods Vehicles had been stipulated in the report (A19-A689-A1185).

A Planning Officer observed that as the Government supported the use of renewable fuels, the application should be supported by the Local Authority.

A Member queried whether alternative means of access, such as by sea, had been considered and was advised that in future plans for the area, it was intended that large volumes of material would be transported by means other than road.

RESOLVED that as the "Competent Authority" Stockton on Tees Borough Council agree the "Appropriate Assessment" amended to include the suggestions made by English Nature and accept its conclusions subject to the final views of English Nature; and

Subject to the withdrawal of the objections from English Nature, and that RSPB do not raise any new material planning issues, and imposition of any necessary mitigation measures by appropriate additional conditions, that planning permission be granted for the development subject to conditions in respect of time limits, approved documents, working hours, mitigation measures, drainage, bunded storage, finished floor levels, flood evacuation plan, hard and soft landscaping, workplace travel plan, secure cycle parking and land contamination, and any other relevant matters arising.

The submitted environmental information set out in the Environmental Statement has been taken into consideration in the permissions hereby granted.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Structure Plan and Stockton on Tees Local Plan set out below

Stockton on Tees Local Plan policies GP 1, IN5b, IN6, EN 1, EN34, EN36

Tees Valley Structure Plan policies EMP10, ENV4, ENV5

Planning Policy Statements 1 and 23 and Guidance Notes Nos, 4, 9, 13, 24 and 25

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**06/1956/OUT**

**Eastern Gateway Site, Riverside/The Square/Church Road**

**4 Terrace Houses (111-117) Church Road**

**Outline Application for residential, commercial, leisure and ancillary retail development with car parking on the Eastern Gateway Site and multi-storey car park**

Following the original permission for the North Shore development and accompanying Master Plan granted in 2002, Tees Valley Regeneration (TVR) assumed the lead in securing its implementation. Subsequently, a revised master Plan was approved in 2005 to reflect changed aspirations. The new "Benoy" Master Plan, prepared for TVR, inter alia, extended the North Shore area to include the "Eastern Gateway site" located within the Town centre and adjacent area to the Baptist Tabernacle. However, the existing planning permission did not include this area (or another smaller site adjacent to the core area). In order that TVR had a comprehensive planning approval for the whole of the extended North Shore site, outline planning permission was sought in this application for both sites for a variety of uses. The Eastern Gateway site would include uses previously proposed in the original core site particularly a hotel as well as residential apartments, office, commercial and retail space. However, the overall quantity of development within North Shore had not been altered. The residual core site would be developed as a multi-storey car park.

Publicity to the proposals had been undertaken and the responses have been generally supportive with no outright objections received. The only issues raised by neighbours were that it should not interfere with the enjoyment and use of the Church (Baptist Tabernacle) or that it would not prejudice other regeneration initiatives in the area because of traffic capacity issues.

The Head of Integrated Transport and Environmental Policy advised that they agreed with the proposed development in principle. However, this was subject to the proposed means of access to the site being agreed as it was not included within the application.

Prior to the full application being submitted a Transportation Assessment would need to be carried out in order to assess the traffic impact of the proposed development. A scoping study would need to be agreed with the local Highway Authority in order to ensure that all locations, which would be adversely affected by the proposed development, were assessed and appropriate mitigation measures provided where necessary.



A suitable variation for the North Shore consent to ensure that the uses originally proposed for the main site were removed and then added to those of the Eastern Gateway.”

The views of the Highways Agency were still awaited but as a verbal statement had been received advising that they had no fundamental objection to the scheme, it was anticipated that no objections would be received from the Highways Agency. The applicant would meet with the Agency in the expectation of resolving the matter. Accordingly it was recommended that approval be subject to the Highway agency’s views.

Approval for these two residual sites will allow for effective and comprehensive redevelopment and regeneration of the North Shore area.

Approval for the two residual sites would allow for effective and comprehensive redevelopment and regeneration of the North Shore area.

RESOLVED that subject to views of the Highways Agency, planning application (06/1956/OUT) be approved subject to conditions covering the following matters:

- Development carried out In accordance with the approved plans;
- Future approval for the siting, design, means of access, external appearance and landscaping of the site
- Method for dealing with any contamination on the site
- Noise controls
- Finished floor levels,
- Surface water drainage,
- Settlement facility,
- Oil interceptor,
- Roof drainage,
- Bunded storage,
- Foul and contaminated drainage
- Any other relevant matters including meeting highway concerns

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**06/1983/OUT**

**Former Stockton and Billingham College site, Finchale Avenue/The Causeway, Billingham**

**Outline application for residential development including new vehicular access onto Finchale Avenue**

An outline planning application sought approval for residential development on 3.2 hectares of land previously occupied by the buildings of Stockton and Billingham College located on the corner of The Causeway and Finchale Avenue, Billingham. The site had been left derelict following the demolition of the college building with brick rubble and building foundations left in place. Apart from a new means of access onto Finchale Avenue, all matters of detail had been reserved for future approval. The application was supported by a Transport Assessment and a letter setting out the planning case submitted by the applicant’s planning consultant.

The site was owned by Morrison's who previously sought to develop the site as a retail store. However, permission for that use was refused in 1998 and the site owner wished to dispose of the land with the benefit of outline approval for housing, which it considered as being the most appropriate use for the site. It was understood that subject to planning permission being granted the site would be sold to a local house builder.

Limited concerns to the proposal had been made by local residents (2 letters) with primary concern that it would result in the loss of the existing open space. However, the application site only related to that part of the site designated as previously developed land (i.e. the site of the buildings) and specifically excluded the former running track and playing fields.

The outstanding issue with the application was the satisfactory resolution of the highway concerns. The Head of Integrated Transport and Environmental Policy (HITEP) had asked for a revised Transport Assessment to be provided.

Discussions on the issue had been ongoing and additional information on likely traffic impact supplied. A particular issue raised was that pedestrian/cycle links to the Town centre be highlighted, given the applications residential nature. The HITEP accepted that a detailed design was not necessary at the outline stage but considered that the applicant needed to provide evidence that sustainable transport links to local amenities could be provided.

The applicant had accepted the point but as the application was in outline they had offered a financial contribution of £50,000 towards the introduction of pedestrian linkages by way of a section 106 agreement. The HITEP had accepted the suggestion and the amount offered.

One other unresolved issue was the need for a secondary access which had been requested by the HITEP; however the applicant's transport consultant argued that it was not necessary.

The applicant's transport consultant queried whether the secondary access reference meant a second point of access or an emergency access?

If the former, paragraph 2.22 of DB 32 stated that for a road serving between 100 dwellings and 300 dwellings, where only one point of access was available, the internal road layout should form a circuit and there should be the shortest practicable connection between the circuit and the point of access. On that basis therefore, there was no reason why the proposed development (which was likely to comprise around 160 dwellings) could not be satisfactorily served by a single access, providing the internal layout formed a loop which could be considered at the reserve matters stage. The proposed junction onto Finchale Avenue would have visibility splays of 4.5m x 90m in both directions which would ensure that it would operate in a safe manner. The consultant did not therefore see why it was necessary to provide two points of access suggested. It would also not be possible at such a late stage to amend the application.

If an emergency access was required, it could be achieved at the reserve matters stage. It was already accepted that the development would include additional/separate pedestrian links to the town centre.

The HITEP advised that following receipt of the traffic distribution relating to the development, there were still some issues that need further clarification, information and discussion. Also further information was required in relation to the secondary access.

Until the issues were clarified Integrated Transport and Environmental Policy could not support the proposed development as there were unresolved highway issues and discussions were ongoing therefore a variation in recommendations was suggested.

An objector spoke against the application, queried why the plans exceeded the fenced area and enquired who would maintain the area outside of the fenced area once the development had been built.

The objector was advised that the plans did not exceed the boundaries because the curtilage of the college exceeded the fenced area and the development also included the curtilage. The land outside of the site would be maintained by the owner via a Management Agreement imposed as a condition of the planning approval.

Members provided the following comments:

- Please to see the Landscape Officers comments as there was a lot of good information which came from the comments.
- If the Landscape Officers comments could not be put in the conditions at the outline stage, could a letter from Planning be sent to the applicant ensuring that the applicant carried out the Landscape Officer recommendations.
- Wanted fairly strong guidelines to go to the applicant.
- Indicative numbers should have been on the plans as design was important but numbers were even more important.
- They had received a Traffic Assessment and the number of properties varied from 120 -170 indicating that two access routes were needed.

Members were advised that conditions could be attached to the permission requesting a design statement be submitted with the Reserved matters application to include the requirements of the Landscape Officer and the landscape/open space design could be considered at that stage.

The applicant advised that they had originally wanted to put out an indicative layout, however Morrison's were not house builders and therefore the appointed builder would provide an indicative layout at a later time. The applicant had shown access which was important for the outline stage of the application where the principle of the application was decided.

The Chair advised that he felt it was far too open ended and that retaining the running track was a concern of residents in Billingham and enquired whether something could be done to preserve the track. Members were advised that people could not be prevented from making planning applications, but that the current application excluded that land. Any development on the running track would require a planning application and would be determined on its own merits.

A Member queried if approval for the application was given, would the

Committee be setting a precedent? but were advised that it would not.

In response to a Members query the Committee were advised that the adjoining field to the application site was owned by the Council but the track was owned by Morrison's.

The Chair wanted to limit the number of dwellings to 160 which equated to 50 per hectare.

A Planning Officer advised that the Committee could ask for a design statement that in itself could limit the number of houses.

The applicant advised that they did not object to a design statement but would object to it being prescriptive as they had not discussed the matter of design.

The Principal Solicitor advised that it would need to be 0.6 hectares for open space or £112,000 which had to be decided at the meeting. A condition could be put in regarding the design statement if the application was approved. When the reserved matters were submitted they would have to include the design statement to include all required matters but not be indicative.

RESOLVED that determination of planning application (06/1983/OUT) be delegated to the Head of Planning Services and subject to the satisfactory resolution of the concerns of the Head of Integrated Transport and Environmental Policy, approval be subject to a Section 106 Agreement concerning the provision of pedestrian linkages to the Town Centre and conditions covering the following matters and any others arising from the unresolved highway concerns:

- Development carried out in accordance with the approved plans;
- Future approval for the siting, design, external appearance and landscaping of the site
- Boundary treatment and tree protection
- Pedestrian links
- Provision of open space on the site or alternative arrangements elsewhere
- Management of adjoining open space area in the applicant's ownership
- Method for dealing with any contamination on the site
- Hours of construction
- Control over any oil storage
- Site drainage including alternative means of foul drainage
- Provision of 10% affordable housing and
- Any other relevant matters including meeting highway concerns

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**06/2543/FUL**

**Existing track East Blakeston Lane and Golf Course, Blakeston Lane, Norton**

**Revised application for proposed vehicular access to course from Blakeston Lane, a 55 no. space car park, a modular storage building & associated landscaping**

Planning permission is sought for the creation of a new access, car park and storage building to Norton Golf Course. The site is located to the east of

Blakeston Lane, within an area of agricultural land.

21 letters of objection have been received in respect to the scheme with main objections based on the actual development of the site in the countryside, recreation of existing provision, the impact on the highway network and existing users of the highway network in general.

One letter of representation had been received which indicated that the application was for a car park and the sport and recreation element of the site already existed. It was suggested that as policy EN13 required any justified development outside of the limits to development to be necessary then it should apply to the development, even if it did not harm the character or appearance of the countryside.

The proposed development was considered to accord with Policy EN13 of the Stockton on Tees Local Plan as it related to a sport and leisure facility within the countryside. The layout of the site, design and scale of the building was acceptable subject to adequate detailing and landscaping being achieved.

Additional consultation had been undertaken with the British Horse Society, the Ramblers Association and Sport England; the consultations would not expire until the 21st September 2006.

Several issues including the provision of visibility splays, minor amendment to the layout of the site and the impact on the bridleway remained to be considered subject to the submission of additional details.

A revised plan and statement had been submitted which had resulted in the marginal amendment to the siting of the building and car park to allow additional landscaping to be provided along the western edge of the site. In addition, 3 no. disabled spaces were shown within the car park, cycle parking was indicated as being achieved within the main building whilst staff levels were indicated as being 6, albeit not full time workers.

The Councils Landscape Officer had commented that should the application be approved then full landscape treatment for the car park and vehicular entrance to Blakeston Lane should be conditioned.

Initial comments from the Head of Integrated Transport and Environmental Policy indicated a need for the improved visibility splays to be kept clear. Following concern being raised regarding the applicants ability to achieve this the Head of integrated Transport and Environmental Policy had advised that the requirement related to the new access area on the eastern side of Blakeston Lane and that the applicant would therefore be able to achieve the requirement.

The Head of Integrated Transport and Environmental Policy had advised that the required highway maintenance scheme had been calculated to £15,000. As such, the heads of terms could be amended to be a precise figure.

The Agent advised Members that the site was not an independent car park and shed, it was ancillary to the golf club.

The new access would secure the golf course and in the long term nothing else

would be required.

Condition 9 would adequately address the fly tipping problem.

There would be a maximum of 55 car parking spaces which was a small number and which would only be in use in daylight hours as it was a daylight activity.

An objector advised that the current access was adequate. Blakestone Lane was a narrow lane which was used by walkers, joggers and horse riders; if the traffic was increased it would be dangerous for the other users. It was a bridal way in a rural area and therefore not appropriate for the additional traffic that would be generated.

The proposed site would incorporate a sewage treatment plant.

Members made the following comments:

- Glad their concerns had been addressed so that it would not look like a lay-by.
- Loss of a large amount of hedgerow would not be good.
- Wanted safety element.
- Railtrack wanted to close the informal crossing.
- Overall traffic was being increased on roads that were not ideal, the problem needed to be addressed collectively. Requested that Planning look into the drip effect on the environment.

RESOLVED that the determination of planning application 06/2543/FUL be delegated to the Head of Planning and subject to the resolution of the remaining issues the application be approved subject to a Section 106 agreement and the following conditions.

In the event that the outstanding matters are not resolved by 3rd October 2006, the application be refused

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): WCL/SA/04/0001 rev.c, HO111.1/A

2. Notwithstanding any description of the materials in the application, no above ground construction of the building hereby approved shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the building have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

3. Notwithstanding the details hereby approved the following details shall be submitted to and approved in writing with the Local Planning Authority prior to commencement on site and shall be used throughout the scheme as detailed within the approved scheme;

- the style and colour of doors and windows used for the scheme, and
- the materials used for the surfacing of the car park

4. Full details of the proposed means of disposal of surface water and foul drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and shall be provided in accordance with the approved details before the development is brought into use.

5. No Development hereby approved shall commence on site until a Phase 1a+b desk study investigation to involve hazard identification and assessment has been carried out, submitted to and approved in writing by the Local Planning Authority. The study must identify industry and geologically based contaminants and include a conceptual model of the site. If it is likely that contamination is present a further Phase 2 site investigation scheme involving risk estimation shall be carried out, submitted to and approved in writing by the Local Planning Authority prior to any development hereby approved commences on site.

06. No development hereby approved shall commence on site until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. No Development hereby approved shall commence 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.

7. Notwithstanding details hereby submitted the roof of the building hereby approved shall not be erected on site until the precise design details, pitch and overall height from ground level has been agreed in writing with the Local Planning Authority.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for hard and soft landscaping and its maintenance, details of ground modelling, protection of any existing trees and drainage runs. The approved scheme 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.

9. The development hereby approved shall not be brought into use until the existing access off Blakeston Lane has been closed and redeveloped in accordance with a scheme of works to be agreed in writing with the Local Planning Authority.

10. Notwithstanding details hereby approved there shall be no lighting of the site other than by that within a scheme of lighting to be submitted to and approved in writing by the Local Planning Authority.

The Planning Committee were informed of the publication of the Panel Report of the Examination in Public of Submission Draft Regional Spatial Strategy for the North East (RSS), how the representations made by the Council on Submission Draft RSS had been dealt with and the next steps in the production of RSS.

**Recommended that Members:**

- 1. Note the publication of the Panel Report and its recommendations.**
- 2. Note the further stages in the preparation of the final version of RSS**

**540 Item for Information:**

CONCLUDED that the item be noted.