

Planning Committee

A meeting of Planning Committee was held on Wednesday, 15th November, 2006.

Present: (Meeting) Cllr M Stoker (Chairman), Cllr Mrs J Beaumont, Cllr D T Brown, Cllr D Cains, Cllr M Cherrett, Cllr C Coombs, Cllr K Leonard, Cllr R Patterson, Cllr M Perry, Cllr Mrs M Rigg, Cllr R Rix, Cllr F G Salt, Cllr M Smith, Cllr M E Womphrey

(Site Visit) Cllr M Stoker (Chairman), Cllr Mrs J Beaumont, Cllr D Cains, Cllr C Coombs, Cllr K Leonard, Cllr M Perry, Cllr F G Salt, Cllr M E Womphrey

Officers: (Meeting) C Straughan, B Jackson, P Whaley, F Short, H Smith, S Milner (DNS) J Butcher, P Bell, S Johnson (LD)

(Site Visit) B Jackson, H Smith (DNS)

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

Apologies: (Meeting) Cllr K Faulks, Cllr P Kirton, Cllr S F Walmsley

(Site Visit) Cllr D T Brown, Cllr M Cherrett, Cllr K Faulks, Cllr P Kirton, Cllr R Patterson, Cllr Mrs M Rigg, Cllr R Rix, Cllr M Smith, Cllr S Walmsley

704 Minutes of the meetings held on 23rd August 2006 and 13th September 2006 - to be signed by the Chairman as a correct record

The minutes of the meetings held on 23rd August 2006 and 13th September 2006 were signed by the Chairman as a correct record.

705 06/2939/REV 7 Braeworth Close, Yarm, Stockton-on-Tees Two storey extension to the rear and single storey extensions to the front and side.

Consideration was given to a report that sought permission for the erection of a two-storey extension to the rear and a single storey extension to the front.

At the time of the meeting the site was a detached dwelling located on a residential cul de sac. The application also sought to link the existing detached double garage to the main property with a single storey side extension.

Seven letters of representation had been received, objecting to the proposal.

The main planning considerations in respect of this proposal was the impact on the streetscene and visual amenity and any impact on the amenity of the occupants of neighbouring properties.

The concern of neighbours in respect of noise, disturbance and highway safety issues were taken into account.

Members considered that the proposed extensions were of a scale, design and proportion that did not complement the existing dwelling, and would have an adverse impact on the streetscene. The design and layout would not maintain the privacy of the occupants of existing dwellings, and would dominate and overshadow those properties. It was considered that the proposed development would not retain sufficient amenity space at the existing dwelling.

Members considered that the proposal did not accord with the adopted local plan policy and guidance in SPG 2.

An objector was present at the meeting and was given the opportunity to outline his objections to the proposal.

RESOLVED that planning application 06/2939/REV be refused for the following reason:

1. In the opinion of the Local Planning Authority the proposed development by virtue of its size and projection beyond the building line towards the highway would constitute as a prominent and dominant feature in the street scene, to the detriment of the visual amenity of the surrounding area, contrary to policies GP1 and H012 of the adopted Stockton on Tees Local Plan.

706

06/3072/FUL

54 Bassleton Lane, Stockton on Tees, Thornaby

Erection of 2 no. dormer bungalows with integral garages and associated means of access

Consideration was given to a report which detailed a planning application for the erection of two detached dormer bungalows to be located to the rear of the site.

At the time of the meeting the application site comprised part of the rear garden area of 54 Bassleton Lane, Thornaby. This property was a large detached bungalow with an expansive rear garden, measuring 140 metres long by 28 metres wide.

Outline planning permission (application reference 05/1577/OUT) was granted on 24 January 2006 subject to conditions for the erection of two dwellings and their associated means of access.

The application had been publicised by means of individual letters to neighbours.

The principle for the erection of two residential dwellings had been established under an earlier approval. It was considered that the proposed dwellings would be located in a position and were of a design, which would prevent any significant detrimental impact on the amenity and privacy of surrounding properties and their associated gardens.

The development of long rear gardens does impact on the character of an area through the replacement of open green space with residential properties. However, it was considered that the character of this particular area was not of a significant value, which should preclude it from further development outright. As such, as a result of the restricted height, scale and coverage of the proposed development, it was considered the proposed development would not significantly detrimentally affect the surrounding area.

It was considered that the development accorded with policies GP1, H03 and H011 of the adopted Stockton-on-Tees Local Plan, Planning Policy Guidance No. 3.

An update report was presented to Members which contained the additional consultation responses from the Council's Landscape Officer and the Council's Environmental Health Officer.

A further 25 letters of objection had been submitted in respect of the proposal. The objections were summarised within the update report.

Members took into account the existing outline approval on the site and the submitted plans. The development was considered acceptable with regard to its impact on the adjoining properties, the character of the area, landscape, traffic and other matters discussed within the reports. The development was judged to be in accordance with policies GP1, H03 and H011 of the adopted Stockton-on-Tees Local Plan and Planning Policy Guidance No. 3.

The applicant and two objectors were present at the meeting and were given the opportunity to outline their case.

RESOLVED that planning application 06/3072/FUL be approved subject to the following conditions:

If there are still matters outstanding on 7 December 2006 that planning permission 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) :- SBC0001, 2006-22-04a, 2006-22-05a

Reason: To define the consent.

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. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for landscaping. Such a scheme shall detail the following;

a) Hard and soft landscaping,

b) Soil depths, plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.

c) Areas of landscaping to be retained and a scheme for their protection in accordance with BS5837 2005 (Trees in relation to construction).

d) Areas of level change,

e) Precise locations of protective fencing,

f) Areas of material storage within the site, and

g) Excavations required for service runs.

The development shall be carried out in accordance with the approved details. Planting works 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.

Reason: In the interests of visual amenity and in order to adequately protect the landscape features of the site.

4. 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.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

5. Notwithstanding details hereby approved the precise details of the design and construction methods and materials of the access road serving the two properties shall be submitted to and approved in writing by the Local Planning Authority prior to being implemented on site. No property shall be occupied until the access road has been constructed in accordance with the approved details.

Reason: In order to ensure adequate access is achieved.

6. 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.

Reason: To achieve a satisfactory form of development.

7. 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 the two dwellings hereby approved 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.

Reason: To take into account the sites location in respect to surrounding development

8. Notwithstanding details hereby submitted the windows within the side elevation of the properties which serve bedroom 3 as indicated on the approved plans shall be glazed with obscure glazing in accordance with a scheme to be agreed in writing with the Local Planning Authority prior to the dwellings being occupied. The windows shall remain obscurely glazed in accordance with the approved details in perpetuity unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of privacy.

9. Notwithstanding details hereby submitted, screen fencing shall be erected between the two properties in accordance with a scheme of fencing to be agreed in writing with the Local Planning Authority prior to the dwellings being occupied. The approved fencing shall remain in place in perpetuity unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of privacy.

10. 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.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.

11. During the construction phase of the development there shall be no burning of waste on the site.

Reason: To protect the amenity of the occupants of nearby properties.

12. Notwithstanding details hereby approved the precise details of the design, appearance and location of the proposed pumping station indicated on the layout plan shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The development shall be carried out in accordance with the approved plans.

Reason: In order to ensure the pumping station does not adversely affect amenity of surrounding properties.

13. 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.

Reason: To ensure the proper restoration of the site.

14. 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.

Reason: To ensure the proper restoration of the site.

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03/2769/EIS

Haverton Hill Industrial Estate, Haverton Hill Road, Stockton on Tees. Reclamation of former shipyard site and provision of infrastructure including roads, footpaths, cycleways, river edge revetment and structural landscaping.

03/2781/EIS

Haverton Hill Industrial Estate, Haverton Hill Road, Stockton on Tees. Outline application for the redevelopment of former shipbuilding yard and retention of existing uses for business, industry, warehousing,

distribution, (B1, B2, B8) with associated works.

Consideration was given to a report which detailed two applications at Haverton Hill Industrial Estate, Stockton on Tees.

The report outlined that the former Haverton Hill Shipyards was an industrial brownfield site located on Haverton Hill Road and with frontage onto the River Tees. It was, at the time of this meeting used for a variety of industrial purposes. English Partnerships were seeking to regenerate the site and had submitted two linked applications supported by a formal Environment Impact Assessment, Masterplan, design guide and other documents and studies. Because of concerns raised by the Highways Agency regarding the potential traffic impact on the Trunk Road network of this and other developments in the area (Corus and the North Shore development) the applications had been held in abeyance for three years. These concerns had been resolved with the agreement to improve the Portrack Interchange junction.

In terms of planning policy the development accorded with national, regional sub-regional and local plans. Strategic highway concerns had been resolved and it would have minimal impact on the amenities of neighbouring occupiers including residents of the Clarences. The development would bring about significant improvements to the appearance of the area with new substantial landscaping and planting. It would not give rise to any health and safety concerns and would have no significant impact on ecology and air quality. Concerns over the Industrial Archaeology would be addressed by planning conditions, as would issues over drainage, contamination, noise and details of new building works.

The submitted planning applications offered the opportunity to regenerate this key site and provide increased employment opportunities. It would bring a contaminated site back into beneficial use as well as providing important environmental improvements to the area. Consequently, the development was fully supported by Members.

Members were presented with an update report which contained the final views of the Head of Integrated Transport and Environmental Policy.

RESOLVED that planning applications 03/2769/EIS and 03/2781/EIS be approved subject to the following conditions:

03/2769/EIS

1. Development carried out In accordance with the approved plans;
2. Method for dealing with any contamination on the site
3. Planting and landscape maintenance
4. Noise controls and hours of working
5. Archaeological preservation by record
6. Off-site highway improvements
7. Finished floor levels,
8. Foul & surface water drainage,
9. Settlement facility,
10. Oil interceptor,
11. Roof drainage,
12. Bunded storage,

13. Foul and contaminated drainage
14. Removal of Japanese Knotweed
15. Conservation of intertidal habitats
16. Any other relevant matters

03/2781/EIS

1. Development carried out In accordance with the approved plans;
2. Future approval for the siting, design, means of access, external appearance and landscaping of the site
3. Method for dealing with any contamination on the site
4. Noise controls and hours of working
5. Archaeological preservation by record
6. Off-site highway improvements
7. Finished floor levels,
8. Surface water drainage,
9. Settlement facility,
10. Oil interceptor,
11. Foul and contaminated drainage
12. Removal of Japanese Knotweed
13. Conservation of intertidal habitats roof drainage,
14. Bunded storage,
15. Any other relevant matters including meeting highway concerns

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06/3176/VARY

**3 Acre Site, Princeton Drive, Teesdale, Thornaby, Stockton On Tees
Application under section 73 to modify condition no. 20 and no.21 of
planning approval 06/0853/FUL for the erection of 5 no. three storey
business units with associated car parking and landscaping
Mandale And Victoria Ward - Councillors Mrs A Trainer, S F Walmsley &
Mrs A J Norton**

Consideration was given to a report which detailed a planning application at Princeton Drive, Teasdale.

The report outlined that on 21st August 2006, planning permission was granted on the residual land for the erection of 5 no. three storey business units with associated car parking and landscaping. Permission was subject to two related conditions required by the Highways Agency to address the likely impact of traffic generation on the A19 (T) and its junctions, specifically requiring details of improvements (i.e. a linked MOVA system) to the A66/Teesside Park junction and the A 19 (T), the conditions were detailed in the report.

The application sought a 'variation' of the permission to amend the conditions, which required the submission of details of traffic management improvements at the A66/Teesside Park junction. This would allow the applicant to complete the development, but not allow occupancy of any part of the development prior to the installation of the traffic control system.

An application for a planning permission under Section 73, allowed the Local Planning Authority the opportunity, should it wish to do so, to revisit any or all of the conditions attached to the previous permission; it did not however, allow the Authority to revisit of the principle of development.

As the circumstances and reasons for the imposition of the remainder of the conditions were unchanged, only the amendments proposed to the two conditions cited by the applicant were considered. The main planning consideration was therefore the implication of the proposal on access and highway safety considerations.

The application had been publicised on site and in the local press. No letters of representation had been received.

The final comments of the Highways Agency were awaited. However, from discussions to date it appeared that a MOVA (Microprocessor Optimised Vehicle Activation) system may not be necessary, but improvements to existing equipment would be required to ensure the safe and free flow of traffic on the A19 (T). Should this remain the case, the two related conditions would be further amended to require junction improvements rather than details of a MOVA system. The conditions set out within the report showed the totality of the changes, but the final wording would be subject to the comments of the Highways Agency.

In light of the above assessment Members felt that the above application was acceptable. It was recommended that the decision in respect of planning application number 06/3176/VARY be delegated to the Head of Planning and that the decision be to grant planning permission subject to conditions as set out within the report, or as amended to satisfy the requirements of the Highways Agency, and a legal agreement in respect of sum of £24,000 for bus stops on Harvard Avenue.

An update report was presented to Members which contained the response from the Head of Integrated Transport and Environmental Policy.

RESOLVED that the decision in respect of planning application 06/3176/VARY be delegated to the Head of Planning for approval subject to resolution of the outstanding highway safety issues and subject to the planning conditions as outlined below or varied to accommodate the requirements of the Highways Agency.

In the event of there still being outstanding matters on 11 January 2007 that the application is 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):- B604-1090rev D; B604-101-112

Reason: To define the consent.

2. 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.

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

3. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: In the interests of amenity and the maintenance of landscaping features on the site

4. Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development.

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.

Reason: To ensure the proper restoration of the site.

6. 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.

Reason: To ensure the proper restoration of the site.

7. A survey of the site shall be conducted to test for the presence of landfill gas within the existing ground. The results of this survey shall be submitted to the Local Planning Authority and written agreement shall be reached over any gas monitoring or control measures, which may need to be exercised.

Reason: To reserve the rights of the Local Planning Authority to agree these details to ensure the proper restoration/development of the site.

8. 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 into 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
Reason: to prevent pollution of the water environment.

9. 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 an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.
Reason: To prevent pollution of the water environment.

10. 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.
Reason: to prevent pollution of the water environment.

11. Floor levels of the building hereby approved shall, as indicated on Drawing No B604-100 Rev D, be 5.25m AOD unless otherwise agreed in writing with the Local Planning Authority.
Reason: To provide nominal protection from future flooding of the area.

12. Development on the site shall not occur outside the hours of 8.00 a.m. - 6.00 p.m. weekdays, and 8.00 a.m. and 1.00 p.m. on Saturdays, and there shall be no working carried out on Sundays.
Reason: In the interests of the occupants of neighbouring properties.

13. Prior to the occupation of each building hereby permitted, details for the implementation, monitoring and review of the Sustainable Travel Plan for the employees and visitors to the premises shall be submitted to and agreed with the Local Planning Authority. Such details shall include proposals to meet the objectives for sustainable travel as set out in the Framework Travel plan accompanying the application, to include: targets for mode share, provision of public transport services, provision for cycling and walking to and from the development site, timescales for implementation, monitoring, reporting on and review of the plan.
Reason: In the interests of sustainable development and to reduce the impact of development traffic on the adjacent trunk road network.

14. The business units hereby permitted shall only be used for uses within Class B1 of the Town and Country Planning Use Classes Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
Reason: to define the consent and to enable the local planning authority to retain control over the development

15. Prior to commencement of development hereby permitted, details of a

scheme for the provision of parking bays for use by disabled persons shall be submitted to for consideration and approval by the Local Planning Authority. The details shall accord with the Council's Design Guide and Specification (Residential and Industrial Estates Development) Current Edition. The approved scheme shall be implemented in full and the bays available for use upon occupation of the building hereby permitted and thereafter for the life of the building hereby permitted.

Reason: In order to provide sufficient and adequate parking for disabled persons, in the interests of highway and pedestrian safety.

16. Prior to commencement of development hereby permitted, details of a scheme for the provision of 66 secure covered cycle storage spaces shall be submitted to for consideration and approval by the Local Planning Authority. The approved scheme shall be implemented in full and the spaces available for use upon occupation of the building hereby permitted and thereafter for the life of the building hereby permitted.

Reason: In order to provide cycle storage, to facilitate a sustainable method of transport.

17. Notwithstanding details hereby approved, no development shall be commenced on site until a plan showing a visibility splay of 4.5m x 90m has been submitted to and approved in writing by the Local Planning Authority and the approved visibility splay has been achieved. The visibility splay shall be maintained free from objects or structures within it above 600mm in height.

Reason: In order to gain adequate access into the site in the interests of highway safety.

18. Notwithstanding the approved documents, and prior to the first use or occupation of any part of the development hereby permitted, details of a scheme for the provision of refuse vehicle turning facilities for Unit 3 shall be submitted to for consideration and approval by the Local Planning Authority. The approved scheme shall be implemented in full and the turning area available for use upon occupation of the building hereby permitted and thereafter for the life of the building hereby permitted.

Reason: In order to provide refuse vehicle turning facilities within the site, to allow vehicles to enter and exit the site in a forward gear, in the interests of highway safety.

19. Prior to the first use or occupation of any part of the development, details of improvements to the A66/Teesside Park junction (i.e. details of traffic management improvements) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic on the A19 (T) and its junctions.

20. Prior to the first use or occupation of any part of the development, the required improvements to the A66/Teesside Park junction (as set out in Condition 20) shall be completed to the satisfaction of the Local Planning Authority.

Reason: To safeguard the safety and free flow of traffic on the A19 (T) and its junctions.

232 Oxbridge Lane, Stockton

Two storey extension to side (demolition of existing garage) and single storey extension to rear.

Consideration was given to a report which detailed an application at Oxbridge Lane, Stockton.

At the time of the meeting the application site was a two storey semi-detached dwelling house located in Oxbridge Lane, Stockton. The application site fronted onto Oxbridge Lane with the side facing onto Chelmsford Avenue.

The applicant sought permission for the erection of a two-storey extension to the side and a single storey extension to the rear.

A total of 7 letters of objection had been received from nearby residents in response to the neighbour consultation. The main objections related to the size and design of the proposed extension and the impact on car parking and traffic. One objection had been received from the ward Councillor, Councillor Wade.

Members considered that the proposal was contrary to the adopted local plan policy.

An application of this scale and nature would normally be determined under delegated powers, however, as one of the objectors was a council employee it had been placed before committee for determination.

The applicant was present at the meeting and was given the opportunity to outline his case.

RESOLVED that planning application 06/3119/FUL be refused for the following reasons:

1. In the opinion of the Local Planning Authority, the proposed two storey extension to the side of the property will, as a result of its significant width and the design of its roof, cause a significant imbalance to a pair of semi-detached dwellings and become an incongruous addition within the street scene in general, both of which currently have a prominent vernacular character. It is therefore considered that the proposed development would be contrary to Policies GP1, HO12 and Supplementary Planning Guidance Note no.2 of the adopted Stockton on Tees Local Plan which requires extensions to dwellings to be in keeping with the property and the street scene with regard to style, proportion and materials.

2. In the opinion of the Local Planning Authority the proposed parking layout would be detrimental to highway and pedestrian safety and the free flow of traffic on Oxbridge Lane as a result of the access spanning in excess of 9.6m on a heavily trafficked distributor road. Such a proposal could set a particularly undesirable precedent for other properties within the street which could result in significant lengths of access crossings off Oxbridge Lane and further detrimentally impacting on the highway safety of its users. The proposed development would therefore be contrary to Policies GP1 and TR15 of the Stockton on Tees Local Plan which seek to ensure that there is a satisfactory provision of access and parking arrangements and that the provision of off

street parking will normally be required to accord with the standards set out in the Stockton on Tees Borough Council Design Guide and Specification edition 1 which indicates a maximum width for such driveway accesses as being 5m.

3. Members requested that the case officer provide assistance and advise the applicant on what would be an acceptable scheme.

**710 **Unauthorised Works 13-15 Station Road, Eaglescliffe, Stockton-On-Tees
Egglecliffe Ward - Councillors J.A. Fletcher MA & Mrs M Rigg
Councillor M Cherret****

Consideration was given to a report on the unauthorised works at 13-15 Station Road, Eaglescliffe.

Members were reminded that the unauthorised works at 13-15 Station Road, Eaglescliffe was discussed at planning committee on the 25th of October. Following discussion the item was deferred for further clarification of the issues which Members considered were outstanding. Appended to the report was a summary of all the issues raised.

It was outlined that following concerns that the development that at 13-15 Station Road Eaglescliffe had not been built in accordance with the approved plans, Enforcement officers inspected the site and measured the works. Officers found that the height to the eaves was 7 metres, an increase of 1 metre from approved plans. The height of the extension from ground level to apex of the roof was 10.7 metres, an increase of 1.2 metres from the approved plans. Other breaches of control found included alterations to the approved window details and failure to discharge relevant conditions.

In order to address these deviations and in light of the Sage ruling, the developer was requested to submit a new planning application. This application would be required to address issues regarding:

- The size of the rear extension to include all accurate actual dimensions
- The discrepancy in size and location of all windows facing Swinburne Road
- Details of all means of enclosure including materials to be used (a condition of the planning approval which has not been discharged)
- A car-parking scheme, which shows all vehicle access from Swinburne Road and not Station Road and to including the parking layout and materials to be used (a condition of the planning approval not discharged)

The local planning authority had been advised that the developer did not intend to submit a new planning application, however, his planning consultant had recently submitted a plan showing the implemented work, with the intention of seeking to regularise the present unauthorised development.

Members considered whether the changes to the development were acceptable in planning terms or whether it would be expedient to take enforcement action.

Members did not reconsider the merits of the application as a whole and determined whether the variations to the approved plans resulted in such significant harm in planning terms to justify enforcement action.

Members were presented with an update report which included information on further issues that had been raised. The further issues raised did not alter the recommendation in the accompanying main report that it was not expedient to take enforcement action.

The agent for the applicant was in attendance at the meeting and was given the opportunity to outline his case.

After much debate between Members a vote took place and it was agreed that the proposed extension was not considered to be materially different from the previous approval for flatted development in terms of the visual impact on the street scene and the impact on neighbouring properties. It was considered that it was not expedient for the Council to take enforcement action against the unauthorised changes.

RESOLVED that:

1. It is not expedient to take enforcement action in respect of the following breaches of planning control:

- a) Apex of the roof higher than approved
- b) Windows on the elevations are not accurate in terms of size and location.
- c) Car parking scheme implemented and premises occupied in breach of condition No 6 of permission 04/2058/FUL
- d) Materials not approved in breach of condition No 3 of permission 05/0178/FUL

2. Should a new planning application be submitted for the unauthorised works that these would be found to be acceptable and permission would be forthcoming.

711 **Unauthorised development and non compliance with planning conditions (03/2705/REV) in respect to development at The Stables, Rear of Greencroft bungalow, Redmarshall. Western Parishes Ward - Councillor F G Salt**

The Chairman reported that he had received a request via E-mail from the site owner requesting that Members visit the site. Members discussed the request but felt, as they had visited the site on a previous occasion, there was no need for a further site visit.

Consideration was given to a report which outlined that on 10th May 2006 Planning Committee endorsed enforcement action in respect to the development at The Stables, Redmarshall, if adequate steps were not undertaken by the site owner to resolve outstanding matters with respect to non compliance of conditions and other breaches of planning control.

Following Committee, the site owner was advised in writing of the outstanding breaches of planning and of the steps considered necessary to resolve these.

Some works had taken place relating to the removal and relocation of fencing within the development.

Matters remained outstanding in respect to the submission of information regarding the levels of the building and the surrounding land levels, the provision of a turning area and the provision of an access to the land to the rear of the site.

Officers had considered each aspect of the outstanding matters and had concluded that although information had not been submitted in respect to these items, that in view of the relocated fencing, the overall levels across the site and the provision of a driveway and turning area, that the development as carried out on site was acceptable for the purposes of the conditions and it was therefore not expedient to take enforcement action in these respects. However, as no information had been submitted, the conditions could not be discharged and the development therefore remained unlawful.

In addition to the above mentioned matters, there remained unauthorised development on the site. The land to the east of the site remained formally lawned, planted in part and had a gravelled access way running through it. These works were considered to be a breach of planning and would have an adverse affect on the character and appearance of the site to the detriment of the wider area. Chicken sheds had been erected on the land to the rear of the residential property which were of a poor appearance and which were located within close proximity to the surrounding residential properties. It was considered that in their current state and location that they would have a detrimental affect on the character of the area and the potential to detrimentally affect the amenity of the properties.

Members were presented with an update report which provided information on the precise location of the fencing and gate arrangement to the front of the property immediately adjacent to the highway. It was considered not expedient to take enforcement action in regard to this element.

RESOLVED that an enforcement notice be served on the owners of the land subject to the precise details and content of the enforcement notice(s) be delegated to the HOP in consultation with the Director of Law & Democracy.

1. The works which have been undertaken to the agricultural land which have resulted in it having an appearance similar to that of domestic curtilage and which requires the impacts of these works to be reversed so that the agricultural land can be reverted back to having an agricultural appearance.
2. The non compliance of condition 11 of approval reference 03/2705/REV relating to the provision of access to the private sewage treatment plant.
3. The removal from the land the unauthorised chicken coups.

712

**SPD4: THE CONSERVATION AREAS AND HISTORIC ENVIRONMENT
FOLDER SUPPLEMENTARY PLANNING DOCUMENT**

Consideration was given to a report that presented "Conservation Areas and

Historic Environment Folder” that would inform and add value to the existing policies set out in the Adopted Local Plan and legislation. The Borough’s rich history of the built environment was brought together for the first time in this draft Conservation Areas and Historic Environment Folder. Whilst the Folder was aimed at the development industry for use in Town Planning, it was hoped that it would also be used as a point of reference for local people to understand where their towns and villages had come from. As Supplementary Planning Document the Conservation Areas and Historic Environment Folder would sit within the Council’s Local Development Framework and was accompanied by a Sustainability Appraisal.

The Conservation Areas and Historic Environment Folder (CaHEF) had undergone a Sustainability Appraisal (SA) incorporating the requirements of Strategic Environmental Assessment (SEA) also to be endorsed and adopted, and published as part of the main SPD.

RESOLVED that:

1. The content of the Conservation Areas and Historic Environment Folder be approved so that it may be put forward to Cabinet, and then adopted as a Supplementary planning Document for use as a material planning consideration in determining planning applications.

2. Given the short timescales between Planning Committee and Cabinet, grant delegated authority to the Head of Planning and the Cabinet Member for Regeneration to approve any amendments prior to Cabinet.

713 Planning Performance.

Members considered a report that provided an update on the current performance of the planning department for the second quarter of 2006/2007, the year to date, and annualised figures, as recommended in the PIP.

CONCLUDED that:

1. The quarterly performance report be noted.

2. The hard work and dedication of Planning Staff and colleagues within other service areas, that has also led to Stockton-on-Tees not being classed as a Planning Standards Authority for 2007/2008, be acknowledged.

714 Items for information

Appeal by: Andrew Whalley
Site: 1 Church Road Billingham Stockton On Tees
App. No: 05/1455/FUL

Notification had been received that the above appeal had been Allowed on the 31.10.2006.

The appeal was against the decision of this Authority which Refused permission for Retrospective application for the Installation of upvc replacement windows on the 12.08.2005.

Appeal by: Mr P Rennie
Site: 1 Willows Avenue Maltby Middlesbrough
App. No: 06/0221/COU

Notification had been received that the above appeal had been Dismissed on the 30.10.2006

The appeal was against the decision of this Authority which Refused permission for Change of use of land to residential garden land on the 11.04.2006.

CONCLUDED that the items for information be noted.

715 Local Development Framework Steering Group minutes - 1st August 2006

RESOLVED that the minutes of the meeting held on 1st August 2006 be received.