

Planning Committee

A meeting of Planning Committee was held on Wednesday, 23rd August, 2006.

Present: Cllr M Stoker (Chairman), Cllr Mrs J Beaumont, Cllr D Cains, Cllr M Cherrett, Cllr K Leonard, Cllr R Patterson, Cllr M Perry, Cllr Mrs M Rigg, Cllr R Rix, Cllr M Smith, Cllr Mrs M B Womphrey, Cllr M E Womphrey.

Officers: Mrs J Hall, Miss R Hindmarch, B Jackson, Mrs C Llewellyn, S Milner, Miss H Smith, J Stocks, Ms C Straughan and Mrs M Whaler.

Also in attendance: Members of the public, Applicants and Agents.

Apologies: were submitted on behalf of Cllr D Brown, Cllr C Coombs, Cllr K Faulks, Cllr P Kirton, Cllr F Salt and Cllr S Walmsley.

458 Declarations of Interest

Councillor Cains declared a personal/prejudicial interest in relation to agenda item 4 (Planning Application 06/2122/FUL) 6 Marquis Grove, Norton, Proposed detached dwelling due to having previously expressed an opinion on the application and left the meeting during the consideration of the item.

459 06/1741/EIS LAND AT SEAL SANDS CONSTRUCTION OF 600MM DIAMETER HIGH PRESSURE NATURAL GAS PIPELINE.

The proposal was for the construction of a 600mm diameter steel high-pressure gas pipeline to carry natural gas, together with the installation of fibre optic cables. The pipeline would run from the new terminal in Redcar and Cleveland Borough under the River Tees crossing the Borough boundary to the PX Teesside Gas Processing Plant on Seal Sands. Liquid Natural Gas (LNG) was to be delivered to the terminal by ship, vaporised at the terminal then transhipped via the new pipeline to Seal Sands for use in the National Transmission System. Planning permission for the pipeline element of the scheme within Stockton Borough fell to Stockton Borough Council to determine. The rest of the development (jetty works, Sub-terminal and pipeline links) were all located within Redcar and Cleveland Borough and the planning decision rested with that authority. However, the Council had been consulted, as an adjoining authority, for its views on that part of the development.

The development was necessary to meet a possible shortage of energy needs for the following winter and had the strong support of a number of public and private bodies.

The main consideration with the application was the need for the development and the potential impact on the local ecology given that the route of the pipeline was adjacent 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, which ascertained that the proposed development would not adversely affect the integrity of the SSSI or the SPA and Ramsar site. The Royal Society for the Protection of Birds (RSPB)

had lodged a similar objection.

An appropriate assessment had been carried out and the final views of English Nature had not been received therefore it was considered the proposal had no detrimental impact on matters of ecological concerns and was of vital importance for the maintenance of energy supplies for the northeast the following winter.

RESOLVED that:

i. As the “Competent Authority” Stockton on Tees Borough Council agree the “Appropriate Assessment” and accept its conclusions subject to the final views of English Nature; and

ii. Subject to the withdrawal of the objection from English Nature, and imposition of any necessary mitigation measures by appropriate additional conditions, that planning permission for the development be subject to the following conditions:

1. The development hereby approved shall be carried out in accordance with the following approved plans or as otherwise may be subsequently agreed in writing with the Local Planning authority:

Drawing numbers: 721793/OA/79 rev D; and 721793/OA/80 rev D

2. The development shall not be operated except in accordance with the full implementation of all the mitigation measures specified in the Environmental Statement accompanying the planning application hereby approved.

3. On completion of any underground pipeline works the site shall be restored but not re-seeded unless otherwise agreed in writing with the Local Planning Authority.

4. Pipeline construction and associated works within land adjacent to the Seal Sands SSSI section of the Teesmouth and Cleveland Coast SPA shall be completed before November 1st 2006.

5. No development approved by this permission shall be commenced until the site is investigated to determine the nature and extent of any landfill gas or contaminated materials present on the site. A report and risk assessment based on the results of the site investigation shall be carried out in accordance with the Stockton Borough Council Guidance on Landfill Gas Investigations using a suitably qualified environmental consultant and submitted to the recommendations, as necessary, shall be incorporated in to the construction works.

6. 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.

7. 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.

8. 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.

iii. Redcar and Cleveland Borough Council be notified of this decision and advised that Stockton on Tees Borough as the adjacent authority has no objection to approval being granted for the section of pipeline within its area.

**460 06/2122/FUL
6 MARQUIS GROVE, NORTON, STOCKTON-ON-TEES
PROPOSED DETACHED DWELLING**

The application site had been subject to a previous application (05/1585/OUT) in July 2005, the proposal was considered to be acceptable and outline planning consent was granted.

The application site was located within the curtilage of a large detached property situated at the end of Marquis Grove, Norton. Planning permission was sought for the erection of 1 no. detached dwelling with integral garage.

15 letters of objection had been received in relation to the proposed development; these concerns have been addressed in the material planning considerations of the report and update report. A further letter had been received from the applicant advising that the original footprint in the approved outline application had a total footprint of 137sq metres whilst the proposed dwelling had a total footprint of 136sq metres. The dwelling had been moved off the boundary to approximately 2.3 metres and in the outline application it was approximately 1.75 metres, whilst the garage maintained a similar position.

A response had been received from Engineers and Transportation who advised that following receipt of the revised plan the access to the site reduced down to a width of 3.8 metres, which did not adhere to the Council's Design Guide and was therefore unacceptable.

A response was also received from the Landscape Officer who advised that the revised plan still showed the house close to the western boundary and the foundations of the building and garage were to be designed to withstand any tree roots that could come from shrubs and trees in the adjacent garden to the west of the dwelling. If property distances to existing houses allowed for this it would be better to move the house and turning head slightly to the east of the garden.

They awaited a report on the willow tree and noted that the foundations of the building in the area was also to be designed to withstand any tree roots from the

conifer hedge, which was a valuable screen and the willow . if it was deemed a healthy tree.

The applicant spoke in support of the application, advising that they were not developers but were locals wanting to live in the area. The dwelling would be a 1 1/2 storey house and the dwelling would be 2.7 metres away from the willow tree which would remain. It was their intention to use similar material to that on the flats close by.

An objector advised that the proposal would back onto their garden and raised concern at the accuracy of the drawings and the impact on the trees. The proposed layout of the garage was in the wrong place and it would reduce the amenity.

No demolition and certain trees were not shown in the report and the site plan did not shown an existing garage.

There were 7 trees in their garden and therefore they requested that condition 6 included the protection of the trees in their garden if the application was approved.

Members advised that they:

- Wanted the materials used to be closely checked
- Would preferred the application to tone in with the other houses on the street
- Observed that the dwelling was a dormer bungalow but the plans were now bigger
- Had concerns with access

Members were advised that concerns regarding materials were covered in condition 2.

The Highways Officer addressed the concerns regarding access advising that the plans had stipulated the access was 4.1m wide but it was in fact 3.8m which created a pinch point at a point in the access however this was considered acceptable.

The applicant confirmed that the measurement of 3.8m was made between the hedge and wall therefore it was wide enough when measured past the hedge.

The applicant also a confirmed that the dwelling would be a dormer.

RESOLVED that application 06/2122/FUL 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): - SBC1 and drwg 001 and 002 rev A

2. 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.

3. 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.
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. No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by, and implemented to the reasonable satisfaction of the Local Planning Authority.
6. No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sunday's or Bank Holiday's.
7. The trees indicated to remain shall be retained and not felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased shall be replaced with trees of such a size and species as may be agreed with the Local Planning Authority.
8. Details of a scheme in accordance with BS5837, 2005 to protect the existing trees and vegetation shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include hand digging only where roots are encountered, details of a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy, the fence as approved shall be erected before construction commences and shall be maintained to the satisfaction of the Local Planning Authority throughout the entire building period.
9. No storage of building materials shall take place underneath the crown spread of the tree(s) to be retained on site.

(Councillor Cains declared a personal/prejudicial interest in relation to the above item due to having previously expressed an opinion on the application and therefore left the room for the duration of the item).

**461 06/2248/VARY
THORNABY METHODIST CHURCH, STANSTEAD WAY, THORNABY
APPLICATION TO VARY CONDITION NO. 2 OF OUTLINE PLANNING
APPROVAL 02/1034/P TO ALLOW EXTENSION OF TIME FOR A PERIOD OF
2 YEARS I.E. UNTIL 14TH JULY 2008 FOR THE SUBMISSION OF
RESERVED MATTERS.**

A previous application (02/1034/P) for outline planning consent, which sought only the principle for residential development on the site was refused by the Planning Committee and subsequently allowed on appeal by the Planning

Inspectorate.

The application site was currently an area of 'open space', which lay to the north of Thornaby Methodist Church on Stanstead Way. Planning consent was sought under section 73 of the planning act to vary condition no.2 of application 02/1034/P to allow an extension of time for the submission of reserved matters for a further 2 years (until 14th July 2008).

The main planning considerations of this application were whether there had been any material change in circumstances since outline planning approval was granted on appeal by the Planning Inspectorate in July 2003.

Six letters of objection had been received and addressed in the report

The applicant advised that there had been no change to the application. They were seeking an extension as the previous secretary had been ill for some time and he had now taken over. The applicant observed that objectors were unhappy at the loss of trees however, local residents had themselves cut down parts of the trees on Church property.

An objector addressed the Committee advising their disbelief that the Church was selling the land.

The first application had been unanimously refused only to get approval at appeal however the appeal was won on the proviso that it was done in 3 years, this had not been the case.

Parking was already bad during Church events and children would have to play on a site that was not safe as they currently played on the proposed site.

A Member enquired how long the applicant could ask for extensions and was advised that they could not apply for variation of conditions as of the day after the Committee Meeting (24th August).

RESOLVED that application 06/2122/FUL 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. Approval of details of the siting, design and external appearance of the building(s), the means of access and the landscaping of the site, shall be in accordance with the details of a scheme to be submitted to and approved by the Local Planning Authority before development commences.
3. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiry of two years from the date of this permission.
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.

5. 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.

6. No building on any part of the development hereby permitted shall exceed two storeys in height.

7. The existing trees on the site shall be retained unless otherwise approved in writing by the Local Planning Authority. The plans and particulars submitted in accordance with condition 3 shall include details of the specification and position of the fencing and of any other measures to be taken for the protection of the retained trees from damage before or during the course of development.

8. 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.

9. 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.

10. No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by, and implemented to the reasonable satisfaction of the Local Planning Authority.

11. No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sunday's or Bank Holiday's.

**462 06/2273/REV
44 - 48 HIGH STREET, NORTON, STOCKTON-ON-TEES
REVISED APPLICATION FOR THE ERECTION OF 3 STOREY BUILDING
COMPRISING 9 NO. APARTMENTS TOGETHER WITH ASSOCIATED
COURTYARD GARDENS AND CAR PARKING (DEMOLITION OF EXISTING
2/3 STOREY OFFICE BUILDING)**

The application site was located centrally within Norton High Street and Norton conservation area. A gated access track and No.50 High Street lay to the north of the site while a small terrace of cottages could be found to the south. The property was of a 1960's design and was currently vacant, it had previously been used as offices although the site was given planning approval in December 2000 (00/1602/P) for the conversion to 9 no. apartments and in 2005 (05/0815/FUL) for the demolition and rebuild.

This application differed in that it removed the two wings and replaced them with a central extension, the design of the front elevations of the building remained

largely the same although the dormers in the proposed building adjacent to No.50 High Street, had been removed and the eaves height increased.

Due to an administrative error the neighbour consultation letters were not sent out until the 7th August 2006. Due to the anticipated level of objection and the expiry date of the application before the next Planning Committee, the application was brought before Committee for determination in order to meet the Government's 8-week deadline.

Members spoke in support of the application.

RESOLVED that planning application 06/2273/REV be delegated to the Head of Planning for approval subject to receiving no adverse comments from the outstanding statutory consultees which if received would be considered by the Head of Planning, Chair and Vice Chair.

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): - 200:001 rev 1, 200:02 rev 1, 200:003 rev 1, 200:004 rev 1

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 building(s) have been approved in writing by the Local Planning Authority.

3. A description of the steps and works to be taken and carried out under this consent shall be submitted to the Local Planning Authority before any work of demolition as detailed in application 05/0996/CON and construction of the hereby approved scheme until the said Authority has signified in writing its approval to the proposed steps and works. Such a scheme shall involve the commencement of redevelopment of the site within 3 months of the demolition of the existing building unless otherwise agreed in writing with the Local Planning Authority.

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. Before any building for which permission is hereby granted is occupied, the sewage disposal works required shall be completed in accordance with the plans submitted with the application for the planning permission, to the satisfaction of the Local Planning Authority.

6. 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.

7. 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.

8. 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

9. 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.

10. No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 8.30am on Saturdays nor after 6.00pm on weekdays and 1.00pm on Saturdays (nor at any time on Sundays or Bank Holidays).

11. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has implemented a phased programme of archaeological works in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority. Where important archaeological remains exist provision should be made for their provision in situ.

12. Notwithstanding any description full details of the required 6 No. covered secure cycle parking spaces shall be submitted to and agreed in writing with the Local Planning Authority, such agreed details shall be provide on site before the building hereby approved is occupied.

463

06/2135/FUL

**SLEEPY HOLLOW FARM, SEAMER ROAD, MALTBY
ALTERATIONS AND EXTENSIONS TO PROVIDE SECOND FLOOR
ACCOMMODATION BY RAISING AND ADDING NEW ROOF, ERECTION OF
CONSERVATORY AND 'SNUG' AND INSTALLATION OF NEW SEWAGE
TREATMENT PLANT TO REPLACE EXISTING SEPTIC TANK, AND
STABILISATION OF BANK ADJACENT TO MALTBY BECK WITH GABIONS.**

The application site was a detached property known as Sleepy Hollow Farm situated on Seamer Road, South East of Maltby.

Planning Permission was sought for alterations and extensions to provide second floor accommodation by raising and adding a new roof, erection of a conservatory, snug and installation of new sewage treatment plant and stabilisation of bank adjacent to Maltby beck with gabions.

A holding objection had been received from English Nature regarding the possibility of bats on site and which requested further information, however this had now been withdrawn.

The applicant was a former senior employee of the Planning Department and therefore the application needed to be determined by the Planning Committee.

RESOLVED that planning application 06/2135/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 numbers(s) SB/06/LO1, 0620.01, SB/06/01, SB/06/02

2. Details of the external finishing materials (the colour of the rendered walls and roof tile) shall be submitted to and approved in writing by the local planning authority before the development hereby approved commences.

464 Local Development Framework Steering Group Minutes

Members considered the minutes of the Local Development Framework Steering Group Minutes

RESLOVED that the minutes were approved.

465 Items for Information

CONCLUDED that the items for information be noted.