

## Planning Committee

A meeting of Planning Committee was held on Thursday, 22nd May, 2008.

**Present:** Cllr Roy Rix (Chairman), Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Robert Gibson, Cllr Miss Tina Large, Cllr Alan Lewis (vice Cllr Mrs Maureen Rigg), Cllr Lee Narroway (vice Cllr David Harrington), Cllr Bill Noble, Cllr Mrs Jean O'Donnell (vice Cllr Paul Kirton), Cllr Ross Patterson, Cllr Fred Salt (vice Cllr John Gardner)

**Officers:** C Straughan, J Hall, R McGuckin, P Shovlin, J Roberts, J Edmonds, C Snowdon, M Brownlee (DNS); S Johnson, J Butcher (LD)

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

**Apologies:** Cllr John Gardner, Cllr David Harrington, Cllr Paul Kirton, Cllr Mrs Maureen Rigg, Cllr Steve Walmsley

### **P 26/08**      **Declarations of Interest**

There were no declarations of interest.

### **P 27/08**      **Minutes of the meetings held on 20 February 2008, 12 March 2008 and 9 April 2008**

The minutes of the meetings held on 20 February 2008, 12 March 2008 and 9 April 2008 were signed by the Chairman as a correct record.

### **P 28/08**      **08/0493/PND 18 Leven Road, Yarm, Application for prior determination for the demolition of 18 Leven Road**

Consideration was given to a report that sought prior determination for the demolition of 18 Leven Road, Yarm. Members were reminded that the application for prior determination had been deferred at the previous Planning Committee meeting due to further information being required with regards to bats on the site. It was advised that the applicant had now carried out a new bat survey and the Local Planning Authority had been informed that no evidence of bats had been found.

Members of the Committee were concerned that a response from Natural England had not yet been received and considered that they would not be able to make a decision until it had been received. The Committee agreed to defer the application until a response from Natural England had been received.

The agent for the application was in attendance at the meeting and addressed the Committee.

A resident was in attendance and objected to the proposal.

The Vice Chair of the Campaign to Protect Rural England (Stockton) was in attendance at the meeting and objected to the proposal.

RESOLVED that planning application 08/0493/PND be deferred in order to

receive a response from Natural England.

**P  
29/08**

**08/0823/REV  
Wainstones, 18 Leven Road, Yarm  
Revised application for the erection of 5 no. Dwellinghouses and  
associated access.**

Consideration was given to a report that sought planning permission for the demolition of the existing dwelling and the erection of 5 dwellinghouses and associated access at 18 Leven Road, Yarm.

It was explained that the application site contained a large detached property of a 1930's design in extensive grounds. The dwelling was situated off Leven Road, Yarm and was set back from the road by approximately 35 metres. Planning consent was sought for the demolition of the existing property and the replacement of the building with 5 large dwellings and associated garages positioned within the boundaries of the existing site.

Members of the Committee were advised that in the most recent planning appeal for the site, the appeal decision letter stated that the only issues in terms of the development were between the relationships between plot 2 of the proposal and No. 20 Leven Road.

It was explained that given the previous appeal decision and as the proposal had satisfactorily addressed the overlooking aspects and reflected the existing situation between the garage and No. 20 Leven Road, it was considered that the occupiers of both plot 2 and No. 20 Leven Road, would not suffer from a significant loss of amenity/privacy.

The agent for the application was in attendance at the meeting and addressed the Committee.

Three residents were in attendance and objected to the proposal.

The Vice Chair of the Campaign to Protect Rural England (Stockton) was in attendance at the meeting and objected to the proposal.

A motion was proposed and seconded to refuse the application for the reasons that it was not a sustainable development, it was out of character with the area, of poor design and the access was longer than the Council's standard for a private driveway. The motion was defeated.

RESOLVED that planning application 08/0823/REV be approved subject to the following conditions:-

1. The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

Plan Reference Number	Date on Plan
0621/LP	1 April 2008
0760/01	1 April 2008
0760/02A	1 April 2008

0760/PL1/EL 1 April 2008  
0760/PL1/FP 1 April 2008  
0760/PL2/GAR 1 April 2008  
0860/PL2/EL 1 April 2008  
0860/PL2/FP2 1 April 2008  
0860/PL2/FP1 1 April 2008  
0760/PL3/EL 1 April 2008  
0760/PL3/FP 1 April 2008  
0760/PL4/EL 1 April 2008  
0760/PL4/FP 1 April 2008  
0760/PL5/EL 1 April 2008  
0760/PL5/FP 1 April 2008  
0760/03 1 April 2008

2. Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

3. The development shall not be occupied until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

4. Before the occupation of the development hereby permitted, works for the disposal of sewage shall be provided on the site to serve the development. Details of such drainage works shall first be submitted to, and approved by, the Local Planning Authority, the sewage disposal shall be completed in accordance with these approved details.

5. Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

6. A detailed scheme for landscaping including tree and 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 occupied. 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. 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. Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; service excavation routes; other vehicle and pedestrian access and circulation areas; hard surfacing materials and

construction method.

8. 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.

9. 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 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, unless otherwise agreed in writing.

10. The proposed development shall fully adherence to the mitigation recommendations as contained within the submitted Bat Survey and copies of the contractors' method statement (referred to in the mitigation strategy) are submitted to the local planning authority prior to any demolition works commencing on the site.

11. 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.

12. Notwithstanding any information contained within this application full details of the methods of refuse collection and any bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

**P  
30/08**

**08/0298/OUT**

**Land to the Rear of the Stables, Kirk Hill, Redmarshall**

**Revised outline application for affordable housing scheme of 10 no. residential units.**

Consideration was given to a report that sought planning permission for an affordable housing scheme of 10 residential units at land to the Rear of the Stables, Kirk Hill, Redmarshall.

It was explained that outline planning permission was sought for 10 affordable dwellings on a site immediately adjoining the existing settlement of Redmarshall and outside of the defined limits to development. The application sought approval for the details of the access only and had indicated that details of the appearance, layout, scale and landscaping would all be reserved matters. However the application was supported by an indicative site layout. It was noted that access to the development was indicated as being taken off Kirk Hill Road to the north edge of the site.

Members were advised that the proposed development would require the relocation of the existing bus stop and the applicant had advised he would be prepared to fund a highway improvement scheme for traffic calming and move the 30mph limit for the village.

The Committee was informed that a total of 26 letters of objection and 1 letter of support had been received. The main objections related to the impact of the scheme on highway safety, adjoining properties, the character of the village and there being no requirement for affordable housing within Redmarshall. The letter of support mainly related to the need and benefits that such a scheme would bring to the local communities.

It was noted that Redmarshall was considered to have insufficient services and was a car dependent location and therefore was inherently unsustainable. The aim of the development was to provide a level of affordable housing that was not supported by any robust and sound study as being needed by the village or the immediately surrounding settlements. The site was therefore considered unjustified as a rural exception site.

Members of the Committee were presented with an update report that outlined consultation responses from Stockton Housing and Redmarshall Parish Council. The report also detailed a further response from the Head of Technical Services. Members of the Committee were advised that a speed survey had been undertaken by SBC Highways traffic management. The Head of Technical Services considered that having assessed the proposed points of access that the level of visibility could be achieved. It would therefore be necessary to delete reason 4, relating to visibility splays, from the reasons for refusal. The update report also outlined that a further 11 letters of comment had been received and summarised further comments from the applicant.

Members of the Committee considered that it would be appropriate to conduct another speed survey between the hours of 8.00-9.30am and 4.00-6.30pm in the event of further applications being submitted for the site.

RESOLVED that planning application 07/2684/OUT be refused for the following reasons:-

1. In the opinion of the Local Planning Authority, development of this site for an affordable housing scheme is considered to be unjustified. There is insufficient, robust and sound evidence to indicate any clear need for a development of this scale which would make a contribution to the settlement as a sustainable, mixed and inclusive community, which would outweigh policies of restraint, contrary to PPS3 Housing.
2. The proposal is on a greenfield site and outside of the limits of development for Redmarshall as defined by the adopted Stockton on Tees Local Plan. The development does not relate to forestry, farming, tourism, sport, recreation or diversification of the rural economy, and would have an urbanising affect on the character and appearance of the countryside, contrary to Policy EN13 of the adopted Stockton on Tees Local Plan and PPS 7 Sustainable Development in Rural Areas.
3. In the opinion of the Local Planning Authority, the proposed site is in an unsustainable location for additional residential development, in view of the settlement having limited services and provisions, thereby requiring occupants to travel for employment, education, retail and recreational uses. It is considered that the proposed development is contrary to Government guidance with respect to locating residential development in sustainable locations as set

out in PPS 1 - Delivering sustainable development, PPS 3 - Housing and PPS 7 - Sustainable Development in Rural Areas.

4. In the opinion of the Local Planning Authority, the indicative scale of development would, by virtue of its prominent location on the edge of Redmarshall village, have an unacceptable detrimental impact on the character of the existing settlement and surrounding countryside contrary to Policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan and PPS 1 - Delivering Sustainable Development, PPS 3 - Housing and PPS 7 Sustainable Development in Rural Areas.

**P 08/0456/FUL**  
**31/08 16 Worsall Road, Yarm,**  
**Erection of two-storey front, side and rear extensions, single storey rear extensions and a single storey front porch.**

Consideration was given to a report that sought planning permission for the erection of two-storey front, side and rear extension, single storey rear extension and a single storey front porch. The application site was 16 Worsall Road, which was a detached two-storey dwelling located on a main road and within a row of other detached dwellings. It was noted that the site was bounded by 18 Worsall Road to the south, 14 Worsall Road to the north east and to the rear of the site by the River Tees. Both neighbouring properties were bungalows, with a rear dormer at No.14.

The Committee was advised that objection letters had been received from 4 properties.

The Committee was presented with an update report that outlined comments from the Ward Councillor, the applicant and neighbouring residents and also presented the ground and first floor plans.

The applicant was in attendance at the meeting and addressed the Committee.

A resident was in attendance and objected to the proposal.

A motion was proposed and seconded to defer determination of the application for a site visit in order that committee members could view the property in relation to the neighbouring properties.

RESOLVED that planning application 08/0456/FUL be deferred for a site visit.

**P 07/3154/VARY**  
**32/08 Albany House, Cheshire Road, Norton**  
**Application under Section 73 to vary Condition no. 2 of planning approval 06/0246/FUL (Erection of 9 no. dwellinghouses, 2 no. bungalows and 2 no. garages and associated works (demolition of existing vacant elderly persons home) to allow re-alignment of boundary fences.**

Consideration was given to a report that sought planning consent under a section 73 application to vary condition 2 of application 06/0246/FUL in order to

allow changes to the layout and arrangement of the approved scheme in order to meet with the requirements of the secure by design principles. The revised scheme had resulted in changes to the type and position of the boundary treatments and also in the relocation of the proposed access point along Spalding Walk.

The application site was situated on the corner of Berkshire Road and Cheshire Road, Norton. It was explained that planning permission was originally granted in 2006 for the erection of 9 dwellinghouses, 2 bungalows and 2 garages and associated works (demolition of existing vacant elderly persons home) (Application Ref. 06/0246/FUL). The development originally approved had been largely completed with the exception of the boundary fences and some landscaping.

The Committee received an update report that outlined that amended plans had been received.

The Committee raised concerns in relation to consultation with the local residents. A motion was proposed and seconded to defer determination of the application in order that a meeting to discuss the amended plans could take place between local residents, Tees Valley Housing, Ward Councillors and officers.

Two residents were in attendance at the meeting and objected to the proposal.

RESOLVED that planning application 07/3154/VARY be deferred to allow for a meeting to be held between local residents, Tees Valley Housing, Ward Councillors and officers.

**P  
33/08**

**08/0604/FUL**

**Land To the Rear of 15-19 Station Road, Norton, Stockton on Tees  
Reserved matter application for the erection of 1no. Pair of semi-detached  
dwellings**

Consideration was given to a report that sought planning permission for the erection of 1 pair of semi-detached dwellings. The application site was situated to the rear of the existing Victorian semi-detached properties on Station Road, Norton. The application site was formed from the rear gardens of No.'s 11, 15 and 19 Station Road with access to the dwellings provided from Dove Lane.

It was explained that outline planning approval was granted on appeal for the erection of 6 Semi-detached dwellings (06/0083/OUT) following a refusal of the application on highway and overall level of development grounds. A subsequent application for the erection of 2 Semi-detached dwellings (App. Ref 07/2735/FUL) of the same design as proposed in this application had also been approved under delegated powers in November 2007.

The Committee were presented with an update report that outlined that an amended plan had been received that preserved the existing mature trees on the boundary of the site. This had resulted in a shared surface arrangement along Dove Lane and also in the re-positioning of some of the driveways to the properties. The update report outlined amendments to conditions 1, 3, 4 and 6 as a result of the amended plan.

A vote was taken on the officers recommendation, as outlined in the report, and the Committee voted not to accept those recommendations. The Committee's Legal Advisor indicated that if the Committee was minded to refuse the application it would have to provide sound planning reasons. Having considered this advice the Committee moved to rescind it's previous decision which was unanimously agreed and following another vote the application was approved in accordance with officers recommendations.

A resident was in attendance at the meeting and objected to the proposal.

RESOLVED that planning application 08/0604/FUL be approved with conditions subject to:-

1. The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

Plan Reference Number	Date on Plan
DOVLP	10 March 2008
DOV01-2	22 May 2008
DOV02-2	10 March 2008
DOV03-2	10 March 2008

2. Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

3. Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of both hard and soft landscape works shall be approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include hard construction materials and construction methods (including driveways); detailed planting plan indicating soil depths, plant species, replacement tree planting, root barriers, numbers, densities, location and sizes and planting methods).

4. 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 details hang digging only where roots are encountered, oa protective fence of appropriate specification, 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, unless otherwise agreed in writing with the Local Planning Authority.

5. Notwithstanding the submitted information provided in this application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority

6. None of the dwellings hereby permitted shall be occupied until the widening



of the carriageway on Dove lane and the provision of a shared surface area as shown on drawing Dov01-2 have been completed and made available for use. Such details shall be submitted to and agreed in writing with the Local Planning Authority and implemented in accordance with these agreed details.

7. 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.

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 and shall be erected before the development hereby approved is occupied.

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.

**P  
34/08      Local Development Framework: Update on the Employment Land Review  
Stage 3**

Consideration was given to a report that provided Members with an update regarding the Employment Land Review, which was an important part of the evidence base for the production of Local Development Framework documents.

Members of the Committee were reminded that Nathaniel Lichfield and Partners and Storey SSP were commissioned to undertake Stages 2 and 3 of the study after the Council had completed Stage 1. Stage 2 had recently been finalised and viewed by the Council's Planning Committee and Cabinet earlier in 2008.

The Committee was advised that Stage 3 was being finalised with a draft report received from Nathaniel Lichfield and Partners on the 7th May 2008. It was explained that Council officers were currently assessing the report.

Members of the Committee were presented with a summary of the findings.

It was explained that Council officers would consider the content of the report and provide comments to Nathaniel Lichfield and Partners. It was expected that a final report would be received before the end of May 2008. It was noted that the completed study would be used as an important part of the evidence base for the emerging Local Development Framework documents.

RESOLVED that the information be noted.

**P  
35/08      Planning Performance**

Members of the Committee were presented with an update on the current performance of the planning department for the final quarter and year end performance for 2007/2008. Members of the Committee were also presented

with an update on the current staffing situation for the Planning Department.

The Chairman congratulated all Officers on behalf of the Planning Committee for their hard work and dedication.

RESOLVED that the quarterly performance report be noted.

**P  
36/08**

- 1. Appeal - Ms Helen Armstrong - 7 Station Road Billingham - 07/2746/FUL - DSIMISSED**
- 2. Appeal - Mr A Brown - 64 Durham Road Stockton on Tees - 07/2559/COU - ALLOWED WITH CONDITIONS**
- 3. Appeal - Mr Neil Richardson - Warren Lodge Wynyard Road Wolviston - 07/2632/FUL - ALLOWED WITH CONDITIONS**
- 4. Appeal - Instant Cash Ltd - Unit 1 Lindsay House High Street Stockton on Tees - 07/2917/COU - ALLOWED WITH CONDITIONS**
- 5. Appeal - Cable Properties and Investments - 62 - 64 High Street Yarm - 07/2267/FUL - ALLOWED WITH CONDITIONS**
- 6. Appeal - Derek Arnett - 24 Beale Close Ingleby Barwick - 07/1754/FPD - DISMISSED**

RESOLVED that the information be noted.