

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 24th September, 2008.

**Present:** Cllr Roy Rix (Chairman), Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr John Gardner, Cllr Robert Gibson, Cllr David Harrington, Cllr Paul Kirton, Cllr Bill Noble, Cllr Mrs Maureen Rigg, Cllr Steve Walmsley

**Officers:** B Jackson, R McGuckin, J Robers, P Shovlin, C Snowdon and Ms C Straughan(DNS) Miss J Butcher and Mrs T Harrison

**Also in attendance:** Public, Agents and Developers

**Apologies:** Cllr Miss T Large and Cllr R Patterson

### **P 75/08**      **Declarations of Interest**

Cllr Walmsley declared a personal/non prejudicial interest in Item 6 08/1240/FUL Land at Thornaby Football Club, Acklam Road, Thornaby due to his involvement with the football club by way of providing support and assistance. Cllr Walmsley was advised by the legal adviser that he was pre-determined rather than having a personal interest.

Cllr Rix declared a personal/non prejudicial interest in Item 6 08/1240/FUL Land at Thornaby Football Club, Acklam Road, Thornaby due to being a member of the Ramblers Association.

### **P 76/08**      **Minutes of the meetings held on 2 July 2008, 23 July 2008 and 13 August 2008**

The Chair signed the minutes of the 2nd July 2008, 23rd July, and 13th August 2008 as a correct record.

### **P 77/08**      **08/1496/FUL 64 - 66 Leven Road, Norton, Stockton-on-Tees Change of use to mixed use development consisting of general food store, tea room, showroom, offices, fitness studio and 1 no. two bedroom flat**

**Expiry Date 18 August 2008**

Consideration was given to a report which sought planning consent to create a mixed use for a building consisting of general food store, tearoom, showroom, offices, retail/internet café use, and 1 two bedroomed flat. Members were made aware that certain elements of the proposal could operate without the need for any planning consent due to the previous use of the building.

The application site was located on the northern side of Leven Road, on the corner with Eamont Road and residential properties of a two-storey nature surround the application site. The property itself was two storeys and was originally built as a Co-operative Retail Store.

The premises had been granted planning permission to convert the property into 9 flats. (07/3019/FUL). However, the planning consent had not been

implemented and the retail use of the property remained the permitted use.

The proposed development was considered to be visually acceptable and would not have a detrimental impact on the amenity of the surrounding residents or highway safety. Members therefore considered that the development accorded with Policy GP1 of the adopted Stockton on Tees Local Plan.

RESOLVED that Planning application 08/1496/FUL be approved with conditions subject to:

1. The development hereby approved be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.
2. The occupation of the development authorised by this permission shall not begin until:
  - a. The Local Planning Authority had approved in writing a full scheme of works for:
    - (i) the relocation of the bus stop
    - (ii) the relocation and reconnection of the existing lamppostand
  - b. the works approved in accordance with 2(a) parts (i) & (ii) above had been completed to the written satisfaction of the Local Planning Authority; unless alternative arrangements had been approved in writing by the Local Planning Authority.
3. The proposed car parking spaces as detailed on drawing No 9 be constructed and laid out in accordance with a scheme to be submitted to and agreed by the Local Planning Authority. Details included appropriate hard landscaping materials and be available for use prior to occupation of the hereby approved development.
4. Notwithstanding any information contained within this application full details of the 2no. cycle storage facilities be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development was occupied.
5. Notwithstanding any description contained within the application details of the position and design of decorative bollards or railings on the corner of Eamont Road and Leven Road be submitted to and approved in writing by the Local Planning Authority, and unless otherwise agreed in writing be implemented in accordance with these agreed details prior to the occupation of the hereby approved development.

**P 07/3441/FUL**  
**78/08 The Rookery, South View, Eaglescliffe**  
**Demolition of The Rookery and construction of 13 no. apartments in two blocks as detailed in planning approval 06/3591/FUL.**

**Expiry Date 12 March 2008**

Members considered a report regarding an application that sought planning permission to provide 13 apartments within two separate blocks which would involve the demolition of an existing property. The application site lay within an area of land known as 'The Hole of Paradise' and was bounded on three sides by Urray Nook Road (A67), Yarm Road (A135) and South View and formed part of the Egglecliffe Conservation Area. The Rookery occupied the north and central area of the 'Hole of Paradise' and had a previously extended 1930's built dwelling house upon it.

The redevelopment of the building would result in a more prominent main building but would be the same size and design to the previous scheme which gained approval for extension and conversion of the host property.

It was considered that although the proposed development would result in the loss of the historic fabric of the building, the replacement structure would be identical to that already approved. The scheme was judged to be visually acceptable and would not detrimentally impact on this part of the conservation area, would not have a detrimental impact on the privacy or amenity of the neighbouring properties or highway safety.

Members were made aware of the requirement of section 72 of the Listed Buildings and Conservation Area Act 1990, which required that special attention should be given when exercising planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area when determining applications in respect of buildings within a conservation area.

Members discussed the lack of amenity space within the site and lack of an S106 agreement to enhance open space in the locality and felt that this needed to be investigated further.

RESOLVED that planning application 07/3441/FUL be deferred to investigate open/amenity space requirements/contribution.

**P  
79/08**

**08/1240/FUL**

**Land at Thornaby Football Club, Acklam Road, Thornaby  
Residential Development of 48 No. two bedroom apartments and 16 No.  
one bedroom apartments and associated car parking, landscaping and  
external works.**

**Expiry date: 25th September 2008**

The planning application sought approval for residential development on 1 hectare of land in mixed use at Teesdale Park off Acklam Road, Thornaby. The site was within the established urban limits but was not allocated for any specific use in the adopted local plan.

Existing uses on the land included a single house, the adjacent sports ground clubhouse, old changing facilities and a small, grassed area.

The proposed development comprised 64 apartments in three separate blocks.

Residents had raised a number of objections particularly in respect of highway and traffic concerns. Other concerns included loss of trees, impact on residential amenity, potential loss of recreational facilities, nature conservation, flood risk and drainage. One letter of support had been received on the grounds that the development would improve the area.

No comments had been received from Ward Councillors or Thornaby Town Council.

The development was considered to be generally acceptable and concerns in respect of its impacts in relation to residential amenity, nature conservation, recreation, drainage and flood risk, landfill gas and contaminated land had been resolved. Matters relating to affordable housing, parking, access and open space had also been resolved. However, the Unilateral Undertaking was as yet unsigned, and if it was not secured by the end of the working day of 25th September 2008, then planning permission should be refused on the basis that provision had not been made for replacement facilities, contributions in lieu of open space and traffic regulation order, without which the proposal was unacceptable.

At the Committee meeting the agent requested an amendment to the terms of the unilateral undertaking to provide the replacement football club facilities prior to occupation of the dwellings as opposed to prior to the demolition of the existing facilities due to practical reasons of needing to demolish the existing facilities to gain suitable access to the development site. Members were made aware that the applicant was not backing out of their pledge to provide the clubhouse for the community and that they fully supported it and the club. However the agent pointed out to Committee that things had changed since Members last visited the site and considered the issues at that time, as the clubhouse was now closed, so the public were not losing out as the facility was no longer available in any event. Because of this, it was a practical issue to make the site easier to develop if the old clubhouse could be demolished first. In order for this timeline to happen, in reality, the agent pointed out that the applicant would need to start building the new clubhouse at the same time as work started on the actual flats, as any other way would just lead to a delay in them being able to sell/lease the flats.

Accordingly, it was recommended that subject to resolving the issues raised, appropriate conditions and securing the necessary legal agreement in the terms outlined by the agent that planning permission be granted. If, however, there were any substantive matters outstanding on 25th September 2008 that cannot be resolved by planning conditions, planning permission be refused on the relevant grounds.

RESOLVED that Planning Application 08/1240/FUL be Approved subject to:

1. A favourable response from the Council's Urban Design Manager in respect of matters relating to landscaping, open space and highway safety.

The approval to be subject to conditions in respect of: time period, approved documents, construction hours, means of enclosure, hard and soft landscape and highways matters, land contamination, drainage, flow attenuation, floor levels, materials, means of enclosure, bats survey, travel plan and any other

subsequent matters arising; and securing a legal agreement in respect of a replacement clubhouse and affordable housing, and in lieu of open space as considered necessary.

2. If there are matters outstanding on the 25th September 2008 that planning permission is refused accordingly on the grounds of affordable housing provision, open space provision, landscape and highway safety.

**P**            **08/1912/FUL**  
**80/08**       **17 Lulsgate, Thornaby, Stockton-on-Tees**  
              **Attached garage to side and canopy to front**

**Expiry Date 29 August 2008**

Consideration was given to an application which sought permission for the erection of an attached garage to the side (north west), and the erection of a lean to roof above an existing single storey flat roof extension to the front of No 17 Lulsgate, Thornaby, Stockton on Tees.

The application site was a two storey detached dwelling, located on a corner plot in a cul de sac of similar styled properties along Lulsgate, Thornaby, Stockton on Tees. The site was bounded by No's 26-32 (evens) Lulsgate to the front (south east), to the south west was No 19 Lulsgate, to the north was No 24 Lulsgate and to the north west (rear) No 15 Lulsgate was present.

No letters of objection had been received from neighbouring properties following written consultation.

The main planning considerations in regard to this application were the impacts on the existing dwelling and street scene, the impact on the amenity of neighbouring properties and the impact on highway safety and access.

In accordance with the approved scheme of delegation, the application was being reported to the Planning Committee for determination as the planning application had been submitted by an employee of the Council.

Members considered that overall the proposed development would not have a significant detrimental impact on the amenities of the area and was in accordance with Policies GP1 and HO12 of the Stockton on Tees Local Plan and was therefore acceptable.

RESOLVED that planning application 08/1912/FUL be Approved with Conditions subject to:

1. The development hereby approved 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
SBC0001	18 June 2008
LG0801	18 June 2008

2. Details of all external finishing materials be agreed with the Local Planning Authority before the development commenced.

3. The high prunus tree to the front of the application site, which was indicated to be removed, be replaced with 2 specimens or a type of tree and species to be agreed with the Local Planning Authority, before the removal of the tree and be planted within the first planting season following the removal of the tree. Should the replacement trees die, become damaged or diseased within five years, they shall in turn be replaced within the first planting season following their demise with species to be agreed in writing with the Local Planning Authority.

**P  
81/08**

**07/3154/VARY**

**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.**

**Expiry Date 25 February 2008**

Consideration was given to a report which sought planning consent under a section 73 application to vary condition 2 of application 06/0246/FUL approved previously 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 had been deferred in order to allow discussions to take place between the local residents and the applicants. These discussions had taken place along with a meeting between the case officer, the Urban Design Manager, the applicant and their agent and a spokesperson on behalf of the Spalding Walk residents. Revised plans as discussed at the meeting were currently out to public consultation.

The application site was situated on the corner of Berkshire Road and Cheshire Road, Norton. Planning permission was originally granted in 2006 for the erection of 9 houses, 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 largely been completed with the exception of the boundary fences and some landscaping.

The application was put before Members on the basis that it was anticipated that further objections to the revised scheme might be received, which would require the application to be determined by the Planning Committee. However members were informed that the local ward councillors had confirmed they had no objections and no new objections had been received from local residents to the revised plan. However, amendments had been made to four conditions to reflect the suggested approved drawings for the fencing layout and fence types.

Further to a residents request for the height of the fence to be the same height throughout for privacy, Members considered delegating the determination of the height of the fence to Officers.

RESOLVED that planning application 07/2154/VARY Albany House, Cheshire Road, Norton be delegated to the Head of Planning to approve and resolve request for plot 11 to have 1.8 meter wall/ fence.

**P  
82/08**

**08/2238/FUL**

**13 Roseberry Road, Billingham**

**Retrospective application to erect a steel clad/timber newspaper store and 1.45 metre high boundary fence to front and side.**

**Expiry Date 17th September 2008**

Consideration was given to a report that sought approval for the erection of a steel clad/timber newspaper store and closed boarded fence measuring 1.45 metres in height to enclose the side and front garden serving the application site. This was to replace a higher structure, built without consent and for which retrospective planning approval was initially sought. However following 11 letters of objection, along with a petition consisting of 69 names and an objection from Landscape Architects relating to the store, on the grounds that it was visually obtrusive within the street scene revised plans had been submitted. The revised scheme incorporated a reduction in height of the store to match the height of the fence and a revised location. The proposed store would be sited adjacent to the gate which adjoined the side elevation of the existing shop.

Whilst the received objections had not been formally withdrawn, no letters of objection had been received following consultation regarding the revised scheme. Given that the revised scheme included a reduction in the height of the proposed store it would largely be screened by the boundary treatments and as such member considered it to be acceptable.

Members considered that the revised design of the development accorded with the Council's adopted standards and Adopted Stockton on Tees Local Plan Policies GP1 and as such was considered to be acceptable.

RESOLVED that planning application 08/2238/FUL be Approved with the following Conditions:

1. The development hereby approved shall be in accordance with the amended design, as shown on plan numbers 01 A 14/8/08 and 02 A 14/8/08 and the revised design be implemented within 3 months of the date of the decision notice unless otherwise agreed in writing with the Local Planning Authority.

**P  
83/08**

**North East Regional Spatial Strategy**

Consideration was given to a report which informed members of the publication of the North East Regional Spatial Strategy. The Strategy covered Northumberland, County Durham, Tyne and Wear and the Tees Valley and addressed matters such as the scale and distribution of provision for new

housing, priorities for the environment such as countryside and biodiversity protection, transport, infrastructure, economic development, agriculture, mineral extraction and waste treatment and disposal. The policies in the Strategy set out how built and natural environments would be improved and sustainable rural and urban communities be created, how housing needs would be met, where transport improvements had to be made and where developments should take place to create jobs.

RESOLVED that the report be noted.

- P  
84/08**
- 1. Appeal - Ms Helen Armstrong - 7 Station Road Billingham - 08/0395/FUL - DISMISSED**
  - 2. Appeal - Darren Peckett - Land North of Sopwith Close Preston Industrial Estate Stockton - 07/2463/OUT - DISMISSED**
  - 3. Appeal - Mr & Mrs Yeoman - 11 The Avenue Stockton on Tees - 07/3447/OUT - ALLOWED WITH CONDITIONS**
  - 4. Appeal - Mr & Mrs White - 8 Valley Gardens Eaglescliffe - 07/3431/FUL - ALLOWED WITH CONDITIONS**
  - 5. Appeal - Mr S M S Panahi - Land at the rear of 2 Beckwith Road Yarm - 07/2700/FUL - DISMISSED**
  - 6. Appeal - F S Sedgewick - Spring House Farm Cottage Coatham Lane Elton - 07/0383/ARC - DISMISSED**
  - 7. Appeal - Mr W M Tinkler - Townend Farm Whitton - 07/3382/FUL - ALLOWED WITH CONDITIONS**

RESOLVED that the information be noted.