

Planning Committee

A meeting of Planning Committee was held on Wednesday, 17th December, 2008.

Present: Cllr Roy Rix (Chairman), Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Robert Gibson, Cllr Miss Tina Large, Cllr Bill Noble, Cllr Mrs Maureen Rigg

Officers: M. Brownlee, B. Jackson, J. Roberts, P. Shovlin, C. Straughan, B. Trewick (DNS), J. Butcher, C. Lunn, M. Jones (LD)

Also in attendance: Public, Agents and Developers

Apologies: Cllr Hilary Aggio, Cllr John Gardner, Cllr David Harrington, Cllr Paul Kirton, Cllr Ross Patterson

P Declarations of Interest

128/08

Cllr Rix declared a personal prejudicial interest in item 08/3242/FUL 87 - 91 Oxbridge Lane, Stockton as he was a member of a resident association opposed to the proposal. Cllr Rix left the room when the item was discussed and Cllr Beall was nominated to Chair the meeting for that item only.

Cllr Noble declared a personal/non prejudicial in item 08/2400/FUL Stockton Sixth Form College as his granddaughter was a student of the college.

Carol Straughan, Head of Planning, declared a personal prejudicial interest in item 08/3331/FUL Land to the rear of 2 Beckwith Road, Yarm as she knew the objectors to the proposal present personally, and left the room when the item was discussed.

P Minutes of the Meetings Held on 24th September 2008, 15th October 2008, 24th October 2008, and 5th November 2008

129/08

The Chair signed the minutes of the 24th September 2008, 15th October 2008, 24th October 2008, and 5th November 2008 as a correct record.

P 08/2400/FUL

130/08

**Stockton Sixth Form College, Bishopton Road West, Stockton-on-Tees
Demolition of existing college and replacement with two/three storey
scheme and parking facilities, retention and refurbishment of existing
sports hall and provision of parking facilities for stockton town football
club**

Expiry Date 9 February 2009

Consideration was given to an application that sought planning permission for the demolition and re-building of the existing Sixth Form College. The application site was on the corner of Oxbridge Avenue and Bishopton Road West. The playing fields occupied the eastern area of the site, adjacent to Oxbridge Avenue. The existing college buildings occupied a central location within the site and main parking areas in the western area of the site. Within the site there were several large mature trees which due to the high amenity value for the surrounding area had been covered by a Tree Preservation Order.

The new building would create approximately 9,900m of floor space. The proposal would result in the creation of a modern and exciting building that should act as a landmark building and incorporate a range of modern facilities for the students enrolled at the site. The supporting information also indicated that the building was also designed to achieve a good BREEAM score.

The redevelopment of the site was to take place in 2 phases, the first phase would involve the construction of the college on the land to the west of the existing buildings. Once this had been completed and the college had transferred across to the new building, the existing building and facilities would be demolished and would make way for the car parking/landscaping areas.

The application was put before members, as a total of nine objections had been received in relation to the proposed development.

An update report was tabled which noted three additional letter of objection that had been received, a letter in support of the proposal that had been received from the ward councillors, and outlined a Bat Mitigation report that had been received and considered to be acceptable.

Members considered that the proposed development was visually acceptable and would not have a detrimental impact on the character of the area or the amenity of the neighbouring residents. Members also considered the development would not pose any significant risk to flood risk or access and highway safety.

The proposed development was considered to be in accordance with Policies GP1, EN5 and EN32a of the adopted Local Plan and national planning guidance in the form of PPS1 and PPS9, and was subsequently approved.

The applicant was present and was given an opportunity to outline their case. A resident was also in attendance and spoke against the proposal.

RESOLVED that planning application 08/2400/FUL be approved subject to the conditions below;

01 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
6725-A-100-G1-L00	25 July 2008
A-100-G2-L00-1	25 July 2008
A-100-G2-L00-2	25 July 2008
A-100-G2-L00-3	25 July 2008
A-100-G2-L01-1	25 July 2008
A-100-G2-L01-2	25 July 2008
A-100-G24-ROOF	25 July 2008
A-100-G2-L02-1	25 July 2008
A-100-G2-L02-2	25 July 2008
A-100-G2-X01	25 July 2008
A-100-G2-X02	25 July 2008

A-100-G2-X03 25 July 2008
A-100-G2-E01 25 July 2008
A-100-G2-E02 25 July 2008
A-100-G2-E03 25 July 2008
C100225 July 2008
3544/L/02/ A 25 July 2008
3544/L/01 D 25 July 2008
3544/L/02/B 19 September 2008
A-100G7-FC CAR PARKING A 15 September 2008
3544/L/01 F 19 September 2008
LANDSCAPE MANAGEMENT PLAN 19 September 2008
FLOOD RISK 10 November 2008
24240208-SKE13 19 November 2008
SK-E-013 REV A 19 November 2008
SK-E-012 REV A 19 November 2008
3544/L/02/C 13 November 2008
SBC002A - D (STREET FURNITURE) 19 November 2008
SBC003 - (GREEN ROOF) 19 November 2008
PROTECTED SPECIES REPORT 17 October 2008
6725-A-100-G7-L00 REV B 3 December 2008
A-C63-G7-TEMP CAR PARKING REV A 3 December 2008

Reason: To define the consent.

02 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).

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

03 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason; The scheme shall also include details of how the scheme shall be maintained and managed after completion.

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

Reason; To prevent pollution of the water environment.

05 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; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings, public art and street furniture).

Reason: In the interests of visual amenity.

06 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 the avoidance in changes in levels under the branch spread of the trees, where trees roots are encountered only hand digging will be allowed, all services to be routed away from all retained trees to prevent the severance of roots during excavation and 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.

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

07 Notwithstanding any description submitted as part of the application a detailed scheme showing how the planting beds in the car parking area will be constructed, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with these agreed details.

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

08 A detailed method statement of how the Zelkova and Cedar trees are to be moved, lifted and replanted within the site shall be submitted to and approved in writing by the Local Planning Authority, all works shall be carried out in accordance with these agreed details.

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

09 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.

Reason: To define the consent

10 Notwithstanding the details submitted as part of the application and prior to the occupation of the development, details of a scheme for refuse and recycling facilities and on-going management shall be submitted to and approved in writing by the Local Planning Authority and be implemented in accordance with these agreed details.

Reason: In order that the Local Planning Authority may exercise further control

in the interests of the visual amenity of the area and amenity of adjoining and future occupiers.

11 Details of a car park management plan for the development shall be submitted to and approved in writing by the Local Planning Authority, such details shall include how the car park is to be operated out of college hours. The agreed scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of highway safety.

12 Within six months of the first use or occupation of the development, a detailed travel plan shall be undertaken and submitted to and approved by the Local Planning Authority. The travel plan shall detail measures and actions of how to reduce car travel and car dependency to and from the site. The travel plan shall be implemented in accordance with these agreed details.

Reason; To reduce the dependence and reliance of the private motor car in the interests of the free flow of traffic and highway safety

13 Notwithstanding any information contained within this application full details of the number of covered cycle storage facilities in accordance with the findings of the travel plan shall be submitted to and agreed in writing with the Local Planning Authority within six months of the occupation of the hereby approved development. Such agreed details shall be implemented in accordance with these details

Reason: To ensure a satisfactory form of development.

14 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).

Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.

15 Prior to commencement of development details of demolition of the existing college buildings and the removal of all detritus arising from those operations shall be submitted to for consideration and approval the Local Planning Authority. Those details, shall be submitted in writing and amongst others include schemes for the management of dust and noise both during construction and demolition (including the use of wheel washers), a timetable of works, The approved scheme(s) and details shall be implemented in full.

Reason: To prevent dust and noise nuisance, ensure removal of existing leisure centre, ensure safe and secure pedestrian and vehicular access to the store hereby permitted and in the interests of visual amenity, highway safety and the amenity of the occupants of neighbouring occupiers.

16 Details of the external appearance of the external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the

Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority.

Reason: To avoid light pollution in the interests of the visual amenities of the area.

17 The hereby approved development shall not be occupied until a detailed landscaping/planting scheme for the land edged in blue on plan SBC001 has been submitted has been submitted to and agreed in writing with the Local Planning Authority. The agreed landscaping/planting shall be carried out in accordance with the approved scheme and shall be carried out in accordance with a timetable approved by the Local Planning Authority. All the landscaping/planting works forming part of the agreed scheme will be completed prior to the occupation of the hereby approved development and shall be in accordance with the Local Planning Authority's written approval; unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

Reason: In the interest of the visual amenities of the locality

18 No development shall take place unless in accordance with the recommendations and mitigation detailed within the following protected species reports; Extended Phase 1 and Bat Report for Stockton Sixth Form College, dated May 2008, author FCPR; Great Crested Newt Report for Stockton Sixth Form College, dated June 2008, author FCPR; Protected Species Report for Stockton Sixth Form College, dated October 2008, author FCPR; and Bat Mitigation Strategy for Stockton Sixth Form College, dated December 2008, author FCPR including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation and compensatory habitats in advance; undertaking confirming surveys as stated and adherence to precautionary working methods.

Reason: To conserve protected species and their habitat.

19 Notwithstanding any information submitted as part of the application, final details of the temporary car park layout showing the required minimum of 145 spaces shall be submitted to and agreed by the Local Planning Authority for approval. The temporary car park layout shall be implemented in accordance with these details.

Reason: In the interests of highway safety.

P 08/3181/FUL
131/08 6 and 7 Lufton Close, Riverside View, Ingleby Barwick
Erection of 2no. detached dwellinghouses with integral garages.

Expiry Date: 26th December 2008

Consideration was given to an application that sought planning permission for the erection of two detached dwellings with attached garages. The application

site was 6 and 7 Lufton Close, Riverside View. These were building plots located within a self-build development in Ingleby Barwick.

The site was located within a development area, where the plots were under various stages of construction, with some dwellings under construction and others completed.

The planning application had been publicised by means of individual letters and no objections had been received from the owners of neighbouring plots or properties. The main planning considerations related to the visual impact upon the street scene and any impacts upon the privacy and amenity of the occupants of neighbouring properties and highway safety.

The application was to be determined at Planning Committee as the agent was a relative of an employee of the Council.

Members considered that overall the proposed development would not have had a significant detrimental impact on the amenities of the area and was in accordance with policies GP1 and HO11 of the Stockton on Tees Local Plan, and therefore approved the application with conditions.

RESOLVED that planning application 08/3181/FUL be Approved with Conditions subject to

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>22 October 2008</i>
<i>015/08/02</i>	<i>28 November 2008</i>
<i>016/08/02</i>	<i>28 November 2008</i>

Reason: To define the consent.

02. 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.

03. Notwithstanding the submitted details, all means of boundary enclosure shall be submitted to and approved in writing by the Local Planning. The approved boundary treatments shall be erected prior to the development, hereby approved, being occupied and shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development

04. The garages to which the permission relates shall be used for the parking of private motor vehicles, incidental to the enjoyment of the occupants of the dwelling houses, and no other purpose.

Reason: To ensure that the adjoining residential properties are not adversely affected by the development.

05. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme showing existing ground levels, finished ground levels and finished floor levels. Thereafter the development shall be completed in accordance with the approved details.

Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future residents.

06. No development shall commence on site until full details of hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development.

P 08/3242/FUL

132/08 87 - 91 Oxbridge Lane, Stockton

Erection of new convenience store to the rear of the site, new canopy, tanks and pump islands (demolition of existing petrol station, car sales building, workshop and canopy

Expiry Date: 28 December 2008

Consideration was given to a report regarding an application that sought planning permission for the redevelopment of an existing petrol filling station.

Members were reminded of a recent planning application for the redevelopment of Stevenson's Garage and Oxbridge Petrol Filling Station, to form a new convenience store, new canopy, tanks, pump islands relocation of ex jet wash and additional jet wash. This application was approved with conditions on 9th March 2008.

A condition restricting the hours of operation from 6.00 to 21.30 was attached to the approval. The applicant appealed against this condition and the Planning Inspector allowed the appeal, increasing the hours of operation to 6.00 to 23.00.

Planning permission was now sought for the redevelopment of existing petrol filling station, which included a jet wash, car wash, car sales, and car repair garage. The proposed scheme was for the erection of a convenience store, replacement petrol station, ATM, car parking, and access.

The planning application had been publicised by means of individual letters, and

10 letters of objection had been received objecting to visual amenity, noise and disturbance, increased traffic and highway safety. There had been no objections from consultees and no response from the Ward Councillors.

The main planning considerations related to the principle of development, impact of the redevelopment on the character of the area and street scene, impact on the amenity of the occupants of neighbouring properties in terms of visual amenity, noise, disturbance, access and highway safety, including internal manoeuvrability, landscaping and visual impact.

Overall, members considered that the proposed development was in keeping with the area in terms of style, proportion and materials and did not involve any significant loss of privacy or amenity in terms of overshadowing, overbearing, or noise for the residents of the neighbouring properties.

The proposal provided retail and petrol filling facilities within the limits of development and neighbourhood centre and members therefore considered it acceptable subject to conditions to control impacts arising from light intrusion, noise and disturbance and general noise arising from the operation of the facility which would ensure that there was no unacceptable loss of amenity for local residents.

The scheme would provide adequate dedicated parking and manoeuvring space within the site, and controls over ingress and egress were proposed. Members considered that these controls and the level of vehicular and pedestrian traffic and controls over their interaction would be adequate and the scheme was acceptable in access and highway safety grounds.

The applicant was in attendance and was given the opportunity to outline their case.

RESOLVED that planning application 08/0371/FUL be approved subject to the following conditions:

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SBC0001</i>	<i>29 October 2008</i>
<i>7350</i>	<i>29 October 2008</i>
<i>7350</i>	<i>29 October 2008</i>
<i>7351</i>	<i>29 October 2008</i>
<i>7352</i>	<i>29 October 2008</i>

Reason: To define the consent.

02. 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.

03 In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed 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. Works shall not resume 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.

04. 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 buildings 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 developments impact on surrounding properties.

05. Before the refrigeration, air conditioning, and air pump, are brought into use, the equipment shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be installed in accordance with the approved scheme and thereafter maintained to the satisfaction of the Local Planning Authority. Any new plant installed subsequent to the approval shall not increase background levels of noise as agreed without the agreement in writing of the Local Planning Authority.

Reason: To prevent noise disturbance in the interests of the amenity of the occupants of neighbouring premises

06. Notwithstanding the plans hereby approved, before development commences a scheme detailing a 2.4m high acoustic wall and fence around the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be erected before the development hereby approved is brought into use and thereafter shall be retained and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: In the interests of the amenity of the neighbouring properties

07. No development shall be commenced until details of all the means of enclosure on the site have been submitted to and approved by the Local

Authority. Such means of enclosure as approved shall be erected before the development hereby approved is occupied and retained thereafter for the life of the development hereby approved.

Reason: In the interests of a visual amenity.

08. Any internal or external lighting shall be shielded and arranged so as not to shine directly towards any dwelling and prevent any light spillage beyond the boundary of the premises, details of which must be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: To prevent light pollution in the interests of the amenity of neighbouring properties.

09. Notwithstanding the proposals detailed in the submitted plans, no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the Council's Design Guide, Specification (Residential and Industrial Estates Development) current edition BS4428: 1989, Code of practice for General Landscape operations, and the Horticultural Trades Association (2002) Code of Practice. The scheme shall be completed in the first planting season following commencement of the development or prior to the occupation of any part of the development whichever is the sooner.

Reason: To ensure a high quality-planting scheme is provided in the interests of visual amenity that contributes positively to local character and enhances bio diversity.

10. Prior to commencement of development, notwithstanding the proposals detailed in the submitted plans, a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation. Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

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

11. Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of proposed hard landscaping has

been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finish and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

Reason: To enable the Local Planning Authority to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area

12. The car park shall be constructed, surfaced and marked out in accordance with the details shown on Drawing Number 735/50, before the development hereby approved is brought into operation and that area shall not thereafter be used for any purpose other than the parking, loading and unloading of vehicles.

Reason: To make proper provision for off street parking.

13. Prior to the first use of the development hereby permitted, a scheme showing an 'exit' and 'entrance' system shall be submitted and approved in writing by the local planning authority and thereafter retained and shall then be constructed, surfaced and marked out in accordance with the approved details and be maintained throughout the lifetime of the development.

Reason: In the interests of highway safety and manoeuvrability within the site.

14. During construction of the scheme hereby approved there shall be no operation of plant 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

15. The premises shall not be open for business or goods for sale, nor shall stock or supplies of fuel be delivered thereto, outside the hours of 6:00 and 23.00 Monday to Sunday.

Reason: To ensure that the amenity of the occupiers of the adjoining residential properties are not adversely affected by the development.

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is considered to be a suitable use for the local area and will not have an adverse effect on the vitality and viability of the neighbourhood centre or Stockton Town Centre, or have an adverse impact on the amenity of the occupants of neighbouring properties, highway safety or landscaping and there are no other material considerations which indicate a decision should be otherwise.

Adopted Stockton on Tees Local Plan (June 1997) - GP1 General Principles

Alteration No 1 of the Stockton on Tees Local Plan – S1 Retail Hierarchy and S21 Petrol Filling Stations

Planning Policy Statement 6: Planning for Town Centres

Supplementary Planning Document 3: Parking Provision for New Developments

P 08/3331/FUL

133/08 Land to the rear of 2 Beckwith Road, Yarm

Erection of 1 no Single storey bungalow and creation of a new drive to existing bungalow

Expiry Date: 2 January 2009

Consideration was given to an application that sought planning permission for the erection of a single storey detached bungalow on land to the rear of 2 Beckwith Road, Yarm.

A similar application had previously been refused for 3 reasons relating to

- the unacceptable impact on the host property and those properties in Darcy Close,*
- the proposal would lead to a cramped form of development and;*
- the development would lead to a loss of car parking for the host property car parking and the applicant had failed to demonstrate that replacement car parking could be provided to acceptable standards.*

The applicant appealed against the decision and whilst the Planning Inspectorate dismissed the appeal, it was only on the loss of car parking for the host property.

The planning application had been publicised by means of individual letters, and nine letters of objection had been received from eight neighbouring properties mainly relating to the impact on the character of the area, highway safety and developing under power lines.

The main considerations in determining the application were the principle of developing the site, the impact on neighbouring properties and the character of the area in general, the provision of adequate access and parking, and developing beneath overhead power lines

An update report was tabled regarding additional comments received following the neighbour consultation for a revised scheme which had been submitted that expired on the 15th December 2008.

Concerns with the design and size of the proposal were raised and discussed. Officers noted that although the previous application was considered to be unacceptable due to size, the inspectorate had only refused due to car parking issues. The new application had dealt with these issues. Members therefore

considered that the proposed development was acceptable in principle, would not have an adverse effect on the area or surrounding neighbouring properties. It would also not have an adverse effect on pedestrian and highway safety or landscaping and was therefore in accordance with Policies GP1, HO3 and HO11. Accordingly members approved the applications with conditions.

The applicant was in attendance and was given the opportunity to state their case. A resident was also in attendance and raised objections to the proposal.

RESOLVED that planning application 08/3331/FUL be Approved with conditions:-

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SN/08/002/11</i>	<i>7 November 2008</i>
<i>SN/08/002/21</i>	<i>7 November 2008</i>
<i>SN/08/002/31</i>	<i>7 November 2008</i>
<i>SN/08/002/41</i>	<i>7 November 2008</i>
<i>SN/08/002/22 A</i>	<i>5 December 2008</i>

Reason: To define the consent.

02 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.

03 Prior to the commencement of development details of the means of enclosure shall be submitted to and approved by the Local Authority. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

Reason: In the interests of a visual amenity

04. Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, details of existing ground levels both on site and at adjacent properties which bound the site, finished ground, and finished floor levels for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity of the occupants of neighbouring properties

05. 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

06 No development shall commence on site until full details of hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development.

07. Prior to the commencement of development, the proposed replacement car parking spaces for the host property, 2 Beckwith Road as shown on plan SN/08/002/22a dated 5 December 2008, shall be provided and thereafter retained for the parking of vehicles.

Reason: To provide sufficient car parking space for a the host property.

08. Working hours on the site shall be restricted to between the hours of 08:00-18:00 on Mondays-Fridays, 08:00-13:00 on Saturdays and not at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenity of the occupiers of the adjacent properties

09. Notwithstanding the provisions of classes A, B, C, D E & F of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment)(No. 2) (England) Order 2008 (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 :In order that the local planning authority may exercise further control in order to protect the amenity of adjoining residents.

P 08/2580/FUL
134/08 J T Dove Limited, Bridge Road, Stockton-on-Tees
Student housing development including related collegiate accommodation and external works.

Expiry Date: 25 November 2008

Consideration was given to a report relating to the full planning application for the erection of 226 bedroom purpose built student accommodation including related collegiate accommodation and external works on the J T Dove site, Bridge Road, Stockton on Tees.

The application was previously considered by Planning Committee and was refused planning permission in November 2008 on the following grounds: -

1) In the opinion of the local planning authority the design of the proposed development would be incongruous and would not provide a high quality of built

environment and is thereby contrary to saved policies GP1 (i) and (viii), HO3 (iv) and HO11 (j), of the Adopted Stockton on Tees Local Plan and Planning Policy Statement 1.

2) In the opinion of the local planning authority the applicant has failed to satisfactorily demonstrate by means of a Flood risk Assessment and Sequential Test that there is no alternative site at no risk or lower risk of flooding and that there will be no increased risk of flooding to the development or elsewhere as a result, and is thereby contrary to the saved policy EN 32a of the Adopted Stockton on Tees Local Plan and Planning Policy Statement 25.

3) In the opinion of the local planning authority the development would detract from the setting of a listed building by virtue of the unsympathetic design, scale and massing and is thereby contrary to saved policy EN 28 of the Adopted Stockton on Tees Local Plan.

Subsequent to this decision, the Environment Agency had responded in writing to further information provided by the applicant stating, "Subject to the acceptance of the Sequential and Exception Tests' findings by the Local Planning Authority, should this information be submitted with a new application, we would not object on Sequential and Exception Test grounds".

The applicant had indicated their intention to appeal against the refusal of planning permission and following the Environment Agency's response had requested in writing that the Council formally withdraw reason for refusal 2 and confirm that the Council would not be challenging this reason for refusal at appeal.

Members considered that the Sequential Test had been adequately demonstrated in accordance with Annexe D of PPS25 and relevant Standing Advice from the Environment Agency. Compliance with the Exception Test had been demonstrated in accordance with advice in PPS25. The submitted FRA demonstrated that the development subject to appropriate controlling conditions was satisfactory in flood risk terms. The Environment Agency had withdrawn its objection as it was satisfied that their previous concerns had been met. The local planning authority no longer had any evidence to support refusal of the application on the ground of the risk of flooding or the failure to demonstrate such risk of flooding as this information had now been submitted by the applicant and was acceptable to the Environment Agency and Planning Officers. Members therefore agreed that the Local Planning Authority would not offer evidence in support of reason for refusal 2 should an appeal be lodged, and the applicant would be informed accordingly.

RESOLVED that the Local Planning Authority would not offer evidence in support of reason for refusal 2 should an appeal be lodged and the applicant be informed accordingly.

P **Local Development Framework Steering Group Minutes**
135/08

Consideration was given to the minutes of the Local Development Framework Steering Group meeting held on 22nd September 2008.

RESOLVED that the minutes of the LDF Steering Group be noted.