

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 14th January, 2009.

**Present:** Cllr Roy Rix (Chairman), Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Julia Cherrett (Vice-Cllr Mrs Maureen Rigg) Cllr Robert Gibson, Cllr Paul Kirton, Cllr Miss Tina Large, Cllr Colin Leckonby (vice-Cllr Hilary Aggio), Cllr Maurice Perry (Vice-Cllr John Gardner), Cllr Bill Noble, Cllr Steve Walmsley

**Officers:** B. Jackson, J. Hutchcraft, J. Robinson, P. Showlin, C. Straughan (DNS), J. Butcher, M. Jones, C. Lunn (LD)

**Also in attendance:** Applicants

**Apologies:** Cllr Hilary Aggio, Cllr John Gardner, Cllr David Harrington, Cllr Ross Patterson, Cllr Mrs Maureen Rigg

### **P       Declarations of Interest** **136/08**

Councillor Mrs Beaumont declared a personal/non-prejudicial interest in the items entitled 08/3515/LBC, Georgian Theatre and Calvin House, Green Dragon Yard, Stockton on Tees, and 08/3514/FUL, Green Dragon Studios, Theatre Yard and Georgian Theatre and Calvin House, Green Dragon Yard, Stockton on Tees, as she had been consulted on the designs in her role as Historic Buildings Champion but she had not fettered her discretion with regards to this application.

Councillor Rix declared a personal/non-prejudicial interest in the item entitled 07/3441/FUL, The Rookery, South View, Eaglescliffe, as he was a casual acquaintance of the applicant.

### **P       07/3441/FUL** **137/08   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.**

Consideration was given to a report that sought permission for the demolition of the Rookery and construction of 13 apartments in two blocks as detailed in planning approval 06/3591/FUL. 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

Members were reminded that the application was deferred at the meeting on the 15th October 2008 in order that further information in relation to a full technical appraisal of the existing condition of the foundations, the underpinning of the entire existing foundations and a financial report identifying the difference in cost of underpinning compared to the proposal for demolition and rebuild be supplied.

The request for this information was sent to the applicant's agent and no further information had been supplied. However an appeal on the grounds of non-determination had been received and made valid by the planning inspectorate. As the application was not determined the Committee must

therefore give an indication of what their decision would have been, if the Local Planning Authority had determined the application.

The application site was within an area of land known as 'The Hole of Paradise' and 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 centre area of the 'Hole of Paradise' and had a previously extended 1930's built dwelling house upon it.

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.

Concerns were raised regarding the lack of information provided, and a previous application which was similar to this proposal, whereby houses were built behind a listed building that had been proposed for demolition was discussed. It was noted by officers that this proposal did not affect a listed building, but was in a conservation area.

Members 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 preserve the character of the conservation area. It was considered that it would not have a detrimental impact on the privacy or amenity of the neighbouring properties or highway safety.

Members therefore considered that on balance the development the proposal was acceptable and viewed to be in accordance with Saved policies GP1, HO3, HO11, EN24, EN25 and EN28 of the adopted Stockton on Tees Local Plan and the Local Planning Authority would have been minded to approve the application had the appeal on non-determination not been made.

The applicant was in attendance.

RESOLVED that the Local Planning Authority would have been Minded to approve application 07/3441/FUL subject to the conditions set out below and the applicant entering into a section 106 agreement or unilateral undertaking for a contribution towards nearby open space provision in the area.

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
SBC0001	12 December 2007
1505/3/5B	12 December 2007
18505/3/6B	12 December 2007
1505/3/7D	12 December 2007
1505/3/8A	12 December 2007

Reason: To define the consent.

02. 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.

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

03. Prior to works commencing on site a scheme for a temporary car park to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use prior to commencement of any development to provide in curtilage parking for persons working on the site.

Reason: In the interests of highway safety

04. Before any building for which permission is hereby granted is occupied, all surface water and sewage disposal works required shall be completed in accordance with a scheme to be submitted to and approved by the Local Planning Authority..

Reason: To ensure satisfactory means of sewage disposal.

05. 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.

Reason: In the interests of the visual amenities of the locality.

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

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

07. Details of all 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.

08. 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 and street furniture).

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

09. 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 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 and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

10. Prior to occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and be carried out in accordance with the approved schedule.

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

11. 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

Reason: To define the consent

12. The proposed parking bays in the north-east corner of the site shall be constructed using 'no-dig' construction methods. Full details of the construction materials and methods to be employed shall be submitted to and be agreed in writing with the Local Planning Authority prior to commencement of the development. Such an agreed scheme shall be implemented in accordance with these details.

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

13 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.

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

14. No storage of building materials shall take place underneath the crown spread of the tree(s) to be retained on site.

Reason: To preserve the said trees in the interests of the amenities of the area.

15. The commencement of the development authorised by this permission shall not begin until:

a. The Local Planning Authority has approved in writing a full scheme of works of improvement to:

- (i) Realign the kerb line on the southern approach along South View
- (ii) Provision of pedestrian access/crossing point along South View
- (iii) A revised kerb line and the western entrance to the site

and

b. The approved works have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the Local Planning Authority; unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

16. Notwithstanding the submitted information provided the external render shall be finished and painted in accordance with a colour scheme to be agreed in writing with the Local Planning Authority. Such an agreed colour scheme shall be retained for the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To define the consent

17. A detailed 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 is begun until the said Authority has signified in writing its approval to the proposed steps and works. Such a scheme shall involve a timetable of works for demolition and completion of the development in accordance with the approved plans detailing that commencement of the redevelopment of the site shall begin within 3 months of the demolition of the existing building. The agreed timetable for demolition and completion of development shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the preservation of the visual amenities of the conservation area.

18 Notwithstanding any plans contained as part of the application a revised site plan detailing additional planting, a feature wall and the relocation of the 5 no. parking spaces in the north-west corner of the site shall be submitted to the Local Planning Authority for approval, prior to the commencement of any development on the site. The agreed details shall be implemented on site in full accordance with these details.

Reason; In the interests of visual amenity

**P 08/3515/LBC**  
**138/08 Georgian Theatre and Calvin House, Green Dragon Yard, Stockton-on-Tees**  
**Installation of entrance feature and doors at Georgian Theatre and installation of external projector at first floor Calvin House**

Consideration was given to an application that sought listed building consent for new entrance features and doors at the Georgian Theatre. Consent was also requested for the installation of projector housing and replacement of existing door at first floor Calvin House.

The properties were grade II listed buildings and the main consideration of the proposals was the visual affect of the proposals on the character and appearance of the listed buildings.

A separate application for Planning permission has also been submitted (08/3514/FUL)

Recent works to create a cultural Quarter in the alleys surrounding Green Dragon yard were intended to highlight the unique heritage of this part of Stockton Town Centre, raise profile and improve the appearance of the area. The Quarter was emerging as a hub of cultural activity with the newly refurbished Green Dragon Studios, Georgian Theatre and Calvin House artisan workshops.

The new doors were intended to highlight the use of the Georgian theatre creating focal entrances, encouraging interest and promoting the use within.

The projector was to be used to convey images on to the blank rear of the neighbouring property rear of 41 High Street (the projections may be subject to advertising consent which would be the subject to a separate application for advertising consent) and only the impact of the projector housing was to be considered.

Members clarified with the applicant the affect of the doors on the noise levels from the building and the health and safety aspects in an emergency evacuation situation. The applicant informed that the noise levels would be improved as the proposed doors would be a more effective barrier than the current doors. With regard to the health and safety aspects the applicant noted that the proposed doors were of the same standard as the current doors but included provision for future proofing.

Members considered the proposal was acceptable in that the works would not adversely affect the character and appearance of the listed buildings.

RESOLVED that Listed Building application 08/3515/LBC 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.

Plan Reference Number	Date on Plan
BLS1706-01	18 December 2008
SBC0001	3 December 2008
SBC0002	3 December 2008
SCQ 1	3 December 2008
SCQ 3	3 December 2008
SCQ4	3 December 2008

Reason: To define the consent.

02. Notwithstanding the submitted information detailed drawings of the entrance doors showing full details of the proposed materials, colours, opening mechanisms and finishes will be agreed in writing with the local planning authority before installation and implemented to the satisfaction of the local planning authority.

Reason- To ensure a satisfactory form of development

**P 08/3514/FUL**  
**139/08 Green Dragon Studios, Theatre Yard and Georgian Theatre and Calvin House, Green Dragon Yard Stockton-on-Tees, Installation of entrance features and doors at Georgian Theatre and Green Dragon Studios and installation of external projector and housing at first floor level Calvin House.**

Consideration was given to an application that sought planning permission for new entrance features and doors at the Georgian Theatre and Green Dragon Studios. Permission was also requested for the installation of projector housing and replacement of an existing door at first floor Calvin House.

The doors and entrances were designed with a 'Sound Wave' theme; the bold symbolism of the designs were intended to create unique and attractive entrances.

The proposal was intended to celebrate the entrances to these cultural buildings and add to the area's cultural heritage.

Members considered the proposal was acceptable with conditions for the reasons outlined above.

RESOLVED that planning application 08/3514/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.

Plan Reference Number	Date on Plan
BLS1706-01	18 December 2008
SBC0001	3 December 2008
SCQ 1	3 December 2008
SCQ 3	3 December 2008
SBC0002	3 December 2008
SCQ 4	3 December 2008

Reason: To define the consent.

02. Notwithstanding the submitted information detailed drawings of the entrance doors showing full details of the proposed materials, colours, opening mechanisms and finishes will be agreed in writing with the local planning authority before installation and implemented to the satisfaction of the Local Planning Authority.

Reason- To ensure a satisfactory form of development

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140/08**
- 1. Appeal - Mr L Blackburn - 67 Marlborough Road Stockton on Tees - 07/3490/FUL - DISMISSED**
  - 2. Appeal - Kube 2 Ltd - Former S D Print & Design Building Martinet Road Thornaby - 08/1228/FUL - ALLOWED WITH CONDITIONS**
  - 3. Appeal - David John Taylor - 7 Ridley Mews Norton - 07/3388/FUL - DISMISSED**
  - 4. Appeal - Mrs J Thomas-Charlton - Shed F Allens West Eaglescliffe - 08/1172/FUL - DISMISSED**
  - 5. Appeal - Mr Manjinder Jagpal - Unit 2, 4 Beckfields Centre Beckfields Avenue Ingleby Barwick - 08/2133/COU - DISMISSED**
  - 6. Appeal - Mr & Mrs A McMillan - 25 Mountstewart Wynyard Billingham - 07/3273/REV - DISMISSED**
  - 7. Enforcement Appeal - Mr Ronnie Paterson - Land known as Highfield View Aislaby Road Eaglescliffe - ALLOWED WITH CONDITIONS (Enforcement Notice quashed)**
  - 8. Enforcement Appeal - Michelle Wastell - 1A South View Eaglescliffe - DISMISSED (Enforcement Notice Upheld)**
  - 9. Enforcement Appeal - Mr I Holland - 1B South View Eaglescliffe - DISMISSED (Enforcement Notice Upheld)**
  - 10. Enforcement Appeal - Mr W Walton - 1C South View Eaglescliffe - DISMISSED (Enforcement Notice Upheld)**
  - 11. Enforcement Appeal - Mr I Peerless - 1D South View Eaglescliffe - DISMISSED (Enforcement Notice Upheld)**



It was noted that while Appeal Kube 2 Ltd - Former S D Print & Design Building Martinet Road Thornaby - 08/1228/FUL had been allowed with conditions, the inspectorate had stated that the section 106 agreement for the provision of amenity space near the site noted in the original report should be upheld.

The Enforcement Appeal Mr Ronnie Paterson - Land known as Highfield View Aislaby Road Eaglescliffe, which had been allowed with conditions, was discussed. Members requested a progress update on compliance with the conditions be presented to the Committee in six months.

RESOLVED that the appeals be noted.