

Planning Committee

A meeting of Planning Committee was held on Wednesday, 29th April, 2009.

Present: Cllr Roy Rix (Chairman), Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Robert Gibson, Cllr Miss Tina Large, Cllr Bill Noble, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Mrs Maureen Rigg, Cllr Fred Salt

Officers: C Straughan, B Jackson, R McGuckin, P Shovlin, S Prior, J Hutchcraft (DNS); S Johnson, J Butcher (LD)

Also in attendance: Councillor Ken Dixon; Applicants, agents and members of the public

Apologies: Cllr Phillip Broughton, Cllr Paul Kirton, Cllr Steve Walmsley

P Declarations of Interest

15/09

Councillor Mrs Rigg declared a personal non prejudicial interest in the item entitled 09/0733/LAA Preston Park, Yarm Road, Eaglescliffe - Erection of 1no banner sign to advertise various events at Preston Park, due to being a member of Preston Park Management Group.

P 08/2977/FUL

16/09

**Land North Of Blair Avenue Ingleby Barwick Stockton-On-Tees
Erection of mixed use development for 75no. bedroom residential nursing home and 816sq.m. Private Medical Centre Building and associated vehicular access and car parking.**

Consideration was given to a report that sought planning permission to develop for commercial purposes, an area of land 0.689 hectares in size located on the north side of Blair Avenue close to the Myton Way Centre, the main retail/commercial centre in Ingleby Barwick. It sought full approval for a 75 bedroom residential nursing home and a private medical building with associated vehicular access and car parking. The layout included provision for a 50 place day nursery previously granted outline and reserved matters approval on appeal by applications 07/0492/REM, 07/1136/REM and 06/3752/OU. The children's day nursery did not form part of the current proposals and was reserved for a later phase of development.

It was explained that the site had reserved matters approval following outline planning consent for a children's day nursery together with a Community centre. A proposal (described as an 'Eco Park') for more extensive development and utilising a 3 hectare strip north of Blair Avenue was withdrawn without a decision being made. The proposal had caused a significant degree of public concern and opposition resulting in objections from 12 sources requiring the application to be determined by Planning Committee. The primary concerns were traffic and highway safety given current problems in Ingleby Barwick. Other issues were the over development of a "green area", the lack of need for such uses, massing, design and layout, lack of open space/global warming, economic, social and environmental issues and procedural difficulties with the making of the application.

It was noted that on the basis that most of the site already had permission for development and in view of the site being well served by public transport the

applicant's transport consultant in the Transport Statement accompanying the application had concluded that there would be less vehicular trips associated with the current proposals than those which could be implemented under the existing permission. The Head of Technical Services had agreed with this assessment given that this scheme was supported by a draft Travel Plan Framework. Ingleby Barwick Town Council and a number of objectors were concerned that the proposal would generate more traffic which would add to congestion on the already busy roads around the main centre of Ingleby Barwick at peak times. Due to the proximity of schools and pedestrian crossings they considered that access to and from the location was also a concern. The planned expansion of All Saints Secondary School by 300 places, from 600 to 900 would also have an impact on traffic generated at the location and affected the Transport Assessment and Accident statistics. They also considered that car parking and servicing facilities were insufficient.

The Committee was informed that the Head of Technical Services found that the level of car parking and access arrangements were acceptable and saw the introduction of a robust Travel Plan Framework and individual Travel Plans as being an improvement over the previous approved schemes which had not included one. Accordingly it was considered that the proposal would actually represent a reduction in the predicted future traffic levels compared with the schemes approved on appeal. It was also not considered that the development would give rise to any other particular highway safety concerns subject to conditions to ensure the access, roadways and car and cycle parking and bin store arrangements were carried out.

Overall, the Committee considered that the layout, landscaping areas, form, design and materials of the site and buildings would be appropriate to the location of the development and subject to the proposed conditions there should not be any adverse impact on residents, existing or future neighbours.

The Planning Consultant was in attendance at the meeting and addressed the Committee.

The Ward Councillor and a Town Councillor were in attendance at the meeting and objected to the proposal.

RESOLVED that planning application 08/2977/FUL 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

A 100 11 March 2009

D-08 REV A 24 October 2008

D-00 REV E 21 January 2009

TRANSPORT STATEMENT 2 February 2009

DRAFT TRAVEL PLAN FRAMEWORK 20 March 2009

E-05 REV A 16 April 2009

E-07 REV A 16 April 2009

E-09 REV A 16 April 2009

D-09 REV A 16 April 2009

D-10 REV B 16 April 2009

D-03 REV L 17 April 2009

2. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) taking account of and indicating existing vegetation and surrounding landform, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

3. Prior to commencement of each phase of the development, a scheme detailing the area to be used for on-site staff accommodation, storage of plant and materials, parking and manoeuvring of site operatives and visitor vehicles, together with the unloading and loading of goods vehicles for the period of construction of any phase of development shall be submitted to, for consideration and agreement of the Local Planning Authority. The agreed scheme shall thereafter be implemented in full and available for use concurrent with the commencement of development.

4. Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise and thereafter retained unless with the prior written approval of the local planning authority on an application.

5. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. The drainage works shall be completed in accordance with the details and timetable agreed.

6. No development shall be commenced until details of covered and secure cycle parking have been submitted to and approved in writing by the local planning authority. The cycle parking shall be constructed in accordance with the approved details prior to the occupation of the building to which it relates.

7. Notwithstanding the proposals detailed in the submitted plans,

a) All means of enclosure including;

b) any requirement for earthwork retention;

c) and street furniture associated with the development

shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.

8. Notwithstanding the details submitted with the application construction of the walls and roofs 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.

9. 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 approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:

- a) commencement of the development
 - b) or agreed phases
 - c) or prior to the occupation of any part of the development
- and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

10. 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, other than small privately owned domestic garden shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the

- a) development
- b) or approved phases.

Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. The landscape management plan shall be carried out as approved.

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 LPA 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.

11. Notwithstanding the proposals detailed in the submitted plans, the development shall not commence until the means of external finishing materials of all hard landscaped areas including roads and footpaths has been submitted to and approved in writing by the LPA.

12. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

13. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until a scheme for

the protection of trees (Section 7, BS 5837:2005 and Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007) has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

14. The development hereby approved shall not be occupied until the roads, car and bin stores have been completed in accordance with the approved details.

15. The drainage system from the kitchen / café areas shall be provided with a suitable grease trap so as to prevent the discharge of grease into the public sewer.

16. No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

17. Before development commences details shall be submitted to and approved in writing by the local planning authority of the provisions for refuse collection and recycling within the site.

18. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

19. No planting above 600mm high shall be carried out within the sight lines of the approved means of access. Any planting carried out within the sight lines shall be maintained so as not to exceed 600mm in height.

20. Prior to installation, full details of any external illumination of buildings facades and external areas of the site, including parking courts, shall be submitted to for consideration and approval of the Local Planning Authority.

Those details shall include:

- a) siting
- b) angle of alignment;
- c) light colour; and
- d) luminance;

The lighting thereafter shall be implemented wholly in accordance with the agreed scheme, unless with the prior agreement of the Local Planning Authority to any variation.

21. The access to Blair Avenue shall be laid out, hard surfaces and sealed in accordance with details and timetable, which shall have been submitted to and agreed in writing with the Local Planning Authority prior to first occupation of the development hereby permitted.

22. Prior to the first occupation of each building or phase of development hereby approved the Travel Plan document relating to that unit or phase of development shall be submitted, finalised and agreed in writing with the local planning authority. The Travel Plan shall include:

- 1 Appointment of Travel Plan Co-ordinator at least one month prior to opening of the site in order for actions to be put in place in time for staff starting.
- 2 Car Sharing bays to be marked out positioned close to the building entrances.
- 3 Employees to be made aware of the Tees Valley 'liftshare' internet site 2Plus Travel on appointment and encouraged to register.
- 4 New staff to be provided with travel information packs.
- 5 An Action Plan with SMART targets associated with the actions.
- 6 Information for employees and visitors on sustainable modes of transport and bus timetables.
- 7 Incentives for travelling to the site by cycle, such as cycle parking and shower facilities for staff and bus passes for employees.
- 8 Car sharing schemes including details of how the scheme will operate.
- 9 The plan should also include details of targets and how travel behaviour will be monitored.

**P
17/09**

09/0600/FUL

Billingham Forum, Moreland Avenue, Billingham

External alterations to include erection of plant rooms and storage area.

Consideration was given to a report that sought planning permission for external alterations to the existing Billingham Forum complex. As part of the wider refurbishment of the complex various internal alterations were also proposed, however, these changes did not fall under planning control.

It was explained that the Forum building was listed in October 2004 and dated from the 1960's, the theatre stage; auditorium and fly tower were listed as having architectural merit. The rest of the Forum was not considered to have the sustained architectural imagination of the theatre and was deliberately omitted from the listing.

The Committee discussed the proposal in relation to the reduction in car parking at the Forum once the alterations had been carried out. A resident from Kennedy Gardens had raised concerns about those using the Forum facilities parking in the nearby car park at Kennedy Gardens. The Committee requested that extra signs be erected to direct those using the Forum facilities to other available car parks around the Forum. The Built and Natural Environment Manager confirmed that he would ensure that the request would be taken up with the relevant officers.

The Committee considered that the proposed external changes to the Forum building were considered to be an important step in revitalising the aged appearance of the current building and would enhance the visual appearance of the property and the surrounding area and enhance its landmark building status.

RESOLVED that planning application 09/0600/FUL 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
90-006 REV 001	16 March 2009
90-100 REV 001	16 March 2009
20-100 REV 001	16 March 2009
20-101 REV 001	16 March 2009
20-102 REV 001	16 March 2009
20-107 REV 001	16 March 2009
20-108 REV 001	16 March 2009
20-109 REV 001	16 March 2009
20-701 REV 001	16 March 2009
20-705 REV 001	16 March 2009
21-103 REV 001	16 March 2009
27-902 REV 001	16 March 2009

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 the application full details of the louvers grills and other ancillary equipment/structures shall be submitted to and approved in writing by the Local Planning Authority prior to the prior to the installation on the building.

4. No development shall take place unless in accordance with the recommendations and mitigation detailed within the following protected species report; Bat survey of Billingham Forum, Stockton on Tees; dated March 2009; author E3 Ecology Ltd 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.

5. Prior to all new plant being brought into use the buildings, structure and plant shall be insulated against the emission of noise in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such noise insulation shall be 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.

6. All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 8.00 p.m. on weekdays, 8.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

P 09/0731/LAA
18/09 Norton Footbridge, Over A1027 at Norton Ring Road Roundabout, Norton
Erection of 2no banner signs to advertise various Council Events

Consideration was given to a report that sought permission for advertisement consent for the display of a two banners to advertise various council events. The banners would be located at Norton Footbridge, Over A1027 at Norton Ring Road Roundabout, Norton. The banners would change according to the event but the size would remain the same

There had been 1 objection received from neighbouring properties. No objections had been received from Ward Councillors or statutory consultees.

The Committee received an update report that outlined a further letter of representation and also an amendment to the original report under Planning Policy.

The Committee discussed the proposal and considered that it would be appropriate to approve a one year temporary consent for the advertisement banners in this location in order that the impact of the banners could be assessed after the temporary consent period.

A motion to approve a one year temporary consent was proposed by Councillor Mrs Beaumont and seconded by Councillor Mrs Rigg and was carried.

RESOLVED that planning application 09/0731/LAA be approved for a temporary period of one year 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

SBC001 30 April 2009

SBC002 31 April 2009

2. The banner(s) hereby approved shall be removed within 7 days of the event(s) taking place.

P 09/0733/LAA
19/09 Preston Park, Yarm Road, Eaglescliffe
Erection of 1no banner sign to advertise various events at Preston Park

Consideration was given to a report that sought permission for advertisement consent for the display of a single banner to advertise various council events to be held at Preston Park. The banner would be changed according to the event but the size would remain the same

There had been no objections received from neighbouring properties, ward councillors or statutory consultees.

The Committee received an update report that outlined an amendment to the original report under Planning Policy.

The Committee discussed the proposal and considered that it would be appropriate to approve a one year temporary consent for the advertisement banners in this location in order that the impact of the banners could be assessed after the temporary consent period.

A motion to approve a one year temporary consent was proposed by Councillor Mrs Beaumont and seconded by Councillor Mrs Rigg and was carried.

RESOLVED that planning application 09/0733/LAA be approved for a temporary period of one year 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.

SBC001 Location Plan 30 April 2009
SBC002 Details of Banner 30 April 2009

2. The banners hereby approved shall be removed within 7 days of the events taking place.

P
20/09

09/0732/LAA
Stockton High Street including Riverside Road footbridge, Millennium Bridge, Trinity Gardens, Georgian Theatre and Riverside Road Fencing. Erection of 9no banner signs to advertise various Council Events

Consideration was given to a report that sought permission for advertisement consent for the display of four banners to advertise various council events. The banners would be located at Stockton High Street including Riverside Road footbridge, Millennium Bridge, Trinity Gardens, Georgian Theatre and Riverside Road Fencing. The banners would change according to the event but the size would remain the same

There had been no objections received from neighbouring properties, Ward Councillors or statutory consultees.

The Committee received an update report that outlined an amendment to the original report under Planning Policy.

It was considered that the location of the advertisement banners was in the most suitable location to advertise the various council events without having an adverse impact on visual amenity and public safety.

RESOLVED that planning application 09/0732/LAA 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
SBC0001	31 March 2009
SBC0002	31 March 2009
SBC0003	31 March 2009
SBC0004	31 March 2009
SBC0005	31 March 2009
SBC0006	31 March 2009
SBC0007	31 March 2009
SBC0008	31 March 2009
SBC0009	31 March 2009

2. The banner(s) hereby approved shall be removed within 7 days of the event(s) taking place.

**P
21/09**

09/0734/LAA

**Tees Barrage/Infinity Bridge Plaza, Tees Barrage Way, Stockton
Erection of 4no banner signs to advertise various Council Events**

Consideration was given to a report that sought permission for advertisement consent for the display of four banners to advertise various council events. The banners would be located at Tees Barrage/Infinity Bridge Plaza, Tees Barrage Way, Stockton. The banners would change according to the event but the size would remain the same.

There had been no objections received from neighbouring properties, Ward Councillors or statutory consultees.

The Committee received an update report that outlined an amendment to the original report under Planning Policy.

A motion to approve a one year temporary consent was proposed by Councillor Mrs Beaumont and seconded by Councillor Mrs Rigg and was defeated.

It was considered that the location of the advertisement banners was in the most suitable location to advertise the various council events without having an adverse impact on visual amenity and public safety.

RESOLVED that planning application 09/0734/LAA 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
SBC0001	30 March 2009
SBC0002	30 March 2009

SBC0003	30 March 2009
SBC0004	31 March 2009
SBC0005	31 March 2009
SBC0006	31 March 2009

2. The banner(s) hereby approved shall be removed within 7 days of the events) taking place.

**P
22/09** **Planning Performance**

Consideration was given to a report that provided an update on the current performance of the planning department for the final quarter of 2008/2009 and presented an update on the current situation in light of the credit crunch and expected income for 2009-2010.

The Chairman of the Committee indicated that he would be sending an email to the staff in the Planning Department to congratulate them on their performance.

RESOLVED that:-

1. The report be noted.
2. The Planning Department be congratulated on their performance.

- P
23/09**
- 1. Appeal - Ms W Shepherd - 101 Junction Road Stockton on Tees - 08/0904/OUT - DISMISSED**
 - 2. Appeal - Messrs M & B Hawkins & Beadle - 15 - 19 Yarm Lane Stockton on Tees - 08/2129/FUL - DISMISSED**
 - 3. Appeal - Mr Allsop - 28 Summerfield Grove Thornaby - 08/1965/FUL - DISMISSED**
 - 4. Appeal - FX Currency Services Ltd - 1A Wellington Square Stockton on Tees - 08/2283/FUL - WITHDRAWN**
 - 5. Appeal - Gala Coral - 133 High Street Stockton on Tees - 08/2280/FUL - DISMISSED**

The Head of Planning drew the Committee's attention to Appeal 5 and made particular reference to the Planning Inspectors decision to support the Retail Policy of the Council.

RESOLVED that the appeals be noted.