

Planning Committee

A meeting of Planning Committee was held on Wednesday, 22nd July, 2009.

Present: Cllr Roy Rix (Chairman); Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Robert Gibson, Cllr Miss Tina Large, Cllr Bill Noble, Cllr Mrs Maureen Rigg and Cllr Fred Salt.

Officers: C Straughan, A Glossop, J Glancey, P Shovlin (DNS), J. Butcher, P K Bell (LD).

Also in attendance: Cllr Jean Kirby (Observing); Cllr Javed (Representing local residents for agenda item 6 - 09/1057/FUL); Applicants, Agents, Objectors and Supporters.

Apologies: Cllr Paul Kirton, Cllr Ross Patterson and Cllr Steve Walmsley.

P **Declarations of Interest**

43/09

Councillor Rix declared a personal prejudicial interest in respect of agenda item 10 - 147 Ashton Road, Norton, Stockton on Tees as he was a personal friend of Councillor Frankland and the applicant.

P **Minutes**

44/09

The minutes of the meeting held on 20th May 2009 were signed by the Chairman as a correct record.

P **Minutes**

45/09

The minutes of the meetings held on 29th April 2009 were signed by the Chairman as a correct record.

P **Minutes**

46/09

The minutes of the meetings held on 10th June 2009 were signed by the Chairman as a correct record.

P **09/1057/FUL**

47/09

104 Yarm Lane, Stockton-on-Tees, TS18 1LG New foodstore with associated car parking and landscaping

Consideration was given to a report on a planning application for the erection of a food store (1600sqm gross) and its associated access, car park and other ancillary development on the site of the former Lords Tavern Public House and associated workshop buildings. The site fell within the Yarm Lane Neighbourhood Centre being approximately 500m from the primary shopping area of the town centre.

A total of 29 letters of support and 1 letter of objection had been received in respect to the scheme. The letters of support mainly related to retail benefits to the local population from a store in the position and the visual improvement of the site whilst the letter of objection from a nearby retailer raised concern over loss of trade.

Both Local and National Policies required retailing to be of an appropriate scale

for the location within which it was proposed so that it served the intended catchment areas for the type of centre within which it was in. This proposed store was significantly larger than the average store within the Yarm Lane Neighbourhood Centre and it was considered that a store of this scale would have a much wider catchment than the immediate locality. There had been no need clearly demonstrated for a store of this scale to be located within this location. An assessment of the town centre had highlighted sites which were available and which it was considered could accommodate a proposal of this scale. The applicant had discounted vacant premises and land within the town centre advising site constraints prevent them from being suitable.

The site was in a prominent position in Yarm Lane and was adjacent to a listed building. The design included a flat roof, glazed panels, aluminium and pre cast concrete walling and it was considered that the cumulative impacts of the building would detract from the setting of the adjacent listed building and would detract from the character of the street scene.

The store would be in close proximity to vacant and boarded residential properties to the rear. Whilst these properties may be demolished in the future as part of a regeneration scheme, new residential layouts were unknown although these could focus around the existing highway network. As the dwellings were in position at the time of considering the application, due regard had been given to them and it was considered by officers that the proposed scheme would have a detrimental impact on the amenity associated with these properties and may potentially affect any replacements.

The application had been supported by a Transport Assessment. The Head of Technical Services considered the assessment to be inadequate and revised information had been requested. An update report was circulated at the meeting that highlighted that the revised Transport Assessment (TA) addressed points previously raised. Traffic movements associated with the proposal had been considered (including right turns out of the site) and found to be acceptable, however, the right turn lane into the site was required. The submitted plan ALDIYARMLANE.1/03 was not acceptable, as the lane widths did not meet the standards (3m) however it was considered that a suitable layout could be achieved subject to the comments below:-

- A full Travel Plan should be submitted and agreed with the SBC Sustainable Transport officer prior to the store opening.
- The applicant must enter into a s278 agreement regarding the construction of the new access and the introduction of a right turn lane on Yarm Lane which must be completed before construction works begin. Technical Services Consultancy will design the highway layout in accordance with SBC standards.
- A contribution of £20k to the Bus Majors Scheme by way of an s106 agreement in order to fund a new bus stop on Yarm Lane in the vicinity of the site is required.

In view of all the above, officers considered to be contrary to PPS1, PPS6, PPG 13, PPG15, the Regional Spatial Strategy and saved Policies GP1, EN28, S1, S2 and TR15 of the adopted Stockton on Tees Local Plan.

The applicant, agent, objectors, Councillor Javed and supporters were in attendance at the meeting and were given the opportunity to state their case.

Members discussed the application at length. Members indicated their acceptance for a store in the location subject to a suitable design. Members felt that although the application was not in the town centre and was contrary to saved Policies GP1, S1, S2 and EN28 of the adopted Local Plan as PPS1 and PPG15 it would be ideal for residents in an area of low income, unemployment and bedsits. Members also felt that the residents should have the same offer as is available to residents in similar housing areas. The new building would also improve the look of the area as it stood at the time of this meeting and create a number of jobs. Members felt that the design and the building could be improved to fit in better with the character of the area. The issue of energy efficiency was also raised and the applicant reported that the new build would be as energy efficient as possible.

After much discussion Members felt that although they had indicated their support for the application, the application should be deferred for a better design that was not so utilitarian and would fit in better with the character of the area.

RESOLVED that the application be deferred to enable Officers to have a discussion with the applicant on the possibility of a revised design that is not so utilitarian and would fit in better with the character of the area.

**P
48/09**

09/1478/REV

3 Willowdene Avenue, Stockton-on-Tees

Revised application for two storey extension to the side, single storey extension to the rear and porch and bow window to front.

Consideration was given to a report on a revised application that sought approval for the erection of a two storey extension to the side, single storey extension to the rear, and the erection of a porch, canopy and a bow window to the front of No 3 Willowdene Avenue, Stockton on Tees.

The existing property was a two storey, detached three bedroom dwelling in Willowdene Avenue, Stockton, which was a through road of various style properties. To the north was No 1 Willowdene Avenue, to south was No 3, to the front (west) were Ellonby, Park Spring Cottage and No 2 Willowdene Avenue, and to the rear (north east) was No 64 Hartburn Lane.

The main planning considerations with regard to the 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.

One letter of objection had been received as a result of publicising the planning application from No 5 Willowdene Avenue, who objected to the proposal on several grounds including the impact of the proposed scheme on the design of the existing dwelling and the street scene, the impact on the amenity of neighbouring properties, and the impact of the actual development on foundations.

The application was being reported to the Planning Committee for determination as the applicant was an employee of the Council.

Officers considered that overall the proposed development would not have a significant detrimental impact on the amenities of the area or neighbouring properties. There was no adverse impact on highway safety and was therefore considered to be in accordance with Policies GP1 and HO12 of the Stockton on Tees Local Plan, Supplementary Planning Guidance Note 2 and Supplementary Planning Document 3. It was accordingly recommended for approval with conditions.

Two objectors were in attendance at the meeting and were given the opportunity to state their case.

Members felt that the extension may create a terrace effect on the street scene and may have an overbearing impact on the neighbouring property. Members felt that to help alleviate the situation the extension should keep in line with the current garage line. Members agreed to defer the application so that officers could have a discussion with the applicant and to see if the applicant would amend the application.

RESOLVED that the application be deferred so that officers can have a discussion with the applicant to see if the applicant would amend the application and keep the extension line in line with the current garage line.

**P
49/09**

09/1326/ADV

Franks Flooring, 101A High Street, Stockton-on-Tees

Revised retrospective application for erection of 3 No. non-illuminated canopy signs and 2 no. non-illuminated fascia signs.

Consideration was given to a report that outlined that retrospective approval was sought for the erection of three non-illuminated canopy signs and two non-illuminated fascia signs.

Six petition letters of support had been received with a further five letters of support. Whilst these were not from neighbouring residents they were from patrons and shops within Stockton High Street.

The Councils Historic buildings officer had objected to the development on the grounds that the signage ran almost the full height of the building in contrast to the majority of signs within the town centre which were horizontal across the shop frontages. The sign appeared out of scale and context with the host building and surrounding street scene. However the Historic Buildings Officer accepted that, although canopies were not common within the conservation Area, the canopy to which the application related had been in place since the 1930s. Therefore there was no objection to the retention of the canopy.

The Head of Technical Services had also objected to the proposal on the grounds that the scale and character of the signs were considered to be inappropriate for Stockton High Street, creating a negative impact on the visual character of the area.

Initiatives such as SHIP (Stockton Heritage and Partnership scheme) and the development urban design framework/management framework for the town centre were centred around improving the quality of design and conserving the distinct historic character of Stockton Town Centre. Whilst it was acknowledged that there had been numerous large signs on the building in the past these had done little to improve the facade of the building.

Members felt that the development had a detrimental impact upon the character and appearance of the conservation area contrary to policy GP1 and EN24 of the adopted Stockton on Tees Local Plan and guidance within SPG1.

RESOLVED that planning application 09/1326/ADV be refused for the following reason and the Director of Law and Democracy be authorised to take all necessary enforcement action to secure the removal of all unauthorised signs:-

01. In the opinion of the Local Planning Authority the scale and design of the fascia signs create an incongruous feature in the street scene which adversely impacts upon the character of the existing building, the wider street scene and is detrimental to the visual amenity and character of Stockton Town Centre Conservation area, contrary to the saved Policies GP1 and EN24 of the Adopted Stockton on Tees Local Plan and PPG19.

P **09/1343/P**
50/09 **Ingleby Manor, Crosswell Park, Ingleby Barwick**
Erection of 2 No. Dwelling Houses

Consideration was given to a report that outlined that in August 1999 a previous application for outline consent for the erection of 2 no. dormer bungalow which was subsequently amended to one dormer bungalow was refused as it was considered that the additional dwellings would further increase the level of vehicle generation which would result in unacceptable hazardous conditions for vehicles gaining access and egress and the ensuing appeal was dismissed in February 2000

In March 2002 a similar outline application for the erection of a dormer bungalow on the site was also refused on the same grounds as above and the appeal was also dismissed, highlighting issues relating to the width of the private access.

Following on from changes in the Council's Highways Design Guide a subsequent outline application for 2no. detached dwellings where the siting and means of access were considered was approved by Members of the Planning Committee in 2005 subject to a Grampian condition to ensure the access was widened in a minimum of 4.2 metres prior to development commencing. This was followed by further planning application (06/2489/FUL), which was subsequently approved.

Planning consent was sought for the erection of 2no. detached dwellings. The proposed dwellings would measure approximately 12.5m x 10.5m reach a maximum height of approximately 9 metres, include an integral garage (7m x

5.5m) and provide 6no bedrooms.

A letter had also been submitted with the application requesting that the timescale for implementing the development be increased from 3 to 5 years, to enable financing and construction to occur.

The application had come before members for determination due to the number of objections received.

The applicant was in attendance at the meeting and was given the opportunity to state his case.

Members felt that given the extant planning consent that existed the principle for additional residential development on the site was considered to remain acceptable. The design and layout of the proposed dwellings were judged to be acceptable and were in line with the Council's standards.

RESOLVED that Planning application 09/1343/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.

Plan Reference Number and Date on Plan:-

SBC0001 - 4th June 2009

01 REV A - 4th June 2009

200 REV A - 4th June 2009

201 REV A - 4th June 2009

202 - 4th June 2009

02 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) the widening of the existing access track to 4.2m

(ii) the widening and/or removal of the entrance gates with Crosswell Park to 4.2m 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.

03 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.

04 None of the dwellings shall be occupied until works for the disposal of surface water and foul drainage have been submitted to and approved in writing by the Local Planning Authority. The drainage shall be implemented in accordance with these details and retained for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

05 Development shall not begin until drainage works have been carried out in accordance with details to be submitted and approved in writing to the Local Planning Authority.

06 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.

07 No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and not at any time on Sunday's or Bank Holiday's.

10 The trees and shrubs indicated to remain shall be retained and not felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming severely diseased shall be replaced with trees of such a size and species as may be agreed with the Local Planning Authority.

10. 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.

11 Soft landscape works shall include planting plans and written specifications (including cultivation and other operations associated with plant and grass establishments), schedules of plants, noting species, plant sizes and proposed numbers/densities.

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

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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 prior to resumption of the works.

14. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

P 09/1368/FUL
51/09 147 Ashton Road, Norton, Stockton-on-Tees
Single storey rear extension to provide bedroom and dining room

Consideration was given to a report that outlined that planning permission was sought to erect a single storey rear extension to provide bathroom and dining room to a semi-detached dwelling, which was located in a residential suburb of the Glebe Estate.

The application had to be determined by the Planning Committee as the applicant was directly related to a Member of the Council. One letter of objection had been received from neighbouring resident at No.149 Ashton Road, Norton on the grounds of loss of light, party wall issues, concerns of development affecting their property, construction times and would prefer a flat roof design to the proposal.

The main planning considerations were the impact of the proposal on the street scene in terms of scale, design and materials, the impact on the amenity of the occupants of neighbouring properties and access and highway safety considerations.

Members were presented with an update report that outlined that a further letter of objection had been received from the occupant of 151 Ashton Road. The comments raised were with respect to the development obstructing the view from their kitchen window and would increase noise and disturbance.

Members felt that the proposed development was of a scale, design in keeping with the character of the host dwelling and was not considered to have an adverse impact on the street scene. The design and layout would maintain the privacy of the occupants of existing dwellings and would not significantly dominate or overshadow neighbouring properties. It was also considered that the proposed development did not raise any highway safety concerns.

The proposal was considered to be in line with general saved policies set out in the Development Plan.

RESOLVED that Planning application 09/1368/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 and Date on Plan - 09.039.PP01 - 8 June 2009

02. The external finishing materials shall match with those of the existing building

03. No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00am on Saturdays nor after 6.00pm on weekdays and 1.00pm

on Saturdays (nor at any time on Sundays or Bank Holidays).

(Councillor Rix declared a personal prejudicial interest and vacated the Chair and left the room during consideration of the above item as he was a personal friend of the applicant.) (Councillor Salt was in the Chair during consideration of the above item.)

**P
52/09** **PLANNING PERFORMANCE AND HERITAGE AWARD**

Consideration was given to a report that updated members on the performance of the planning department for the first quarter of 2009/2010 and outlined the recent Heritage Award presented to the Council.

There were a range of National Indicators (NI) against which the performance of the Council would be assessed, Planning being directly responsible for 3, (NI 157, 159 and 170) and having an impact on another 7 (NI 154, 155, 185, 186, 187, 188 and 198). Of these, 2 planning indicators had been included in the Local Area Agreement (LAA), in consultation with GONE and the Local Strategic Partnership (LSP) i.e. Renaissance Board. NI157 related to the processing of planning applications against targets which the local authority sets itself for major, minor and other applications and NI 159 related to the supply of ready to develop housing sites, which was determined through the RSS housing numbers and the SHLAA.

With regards to performance, it had been the responsibility of each local authority to set their own targets. For LAA purposes it was necessary to set annual targets (for a three year period) to show the ambition to have the service improving year-on-year from a baseline position. The expectation of GONE was for ambitious and stretching targets since we are an "excellent" Council.

The targets that had been set for the 3 year period were detailed within the report.

Meeting or exceeding the targets no longer qualified for Housing and Planning Delivery Grant (HPDG), but grant would be deducted instead if targets were not reached, although CLG had recently announced that HPDG would be reduced by £75million over the remaining grant period.

The reporting timeframe for the NI targets remained and ran from 1st April - 31st March. The report presented the performance of the first quarter in that period, 1st April - 30th June 2009.

The NI indicator was reported on the annual year-end results, and the first quarter's results were available. Performance results achieved for that period were 100% for major applications, 87.84% for minor and 92.09% for others, achieving above performance in all 3 categories.

Performance in all categories had exceeded NI standards in the first quarter of the year, with all majors being determined in time. However the impact of the reduction in staff within Development Services was being felt by each officer, with the workload having to be spread across fewer people. An Area Team Leader had since left Development Services and had been redeployed to Spatial Planning.

English Heritage had announced the launch of the Heritage at Risk campaign from Stockton High Street on 23rd June. The campaign was to raise awareness of how little changes to our conservation areas like paving over front gardens and using uPVC windows can cumulatively harm the character and appearance of the conservation areas. At the same time, they also announced that Stockton-on-Tees had won both the regional and national 2009 Heritage Award, with a ceremony being held in London with Baroness Andrews to mark the launch and to present Stockton with the award, a large framed print of Holy Trinity Church. The award was in recognition of the strategic approach and active commitment to promoting the wider benefits of heritage through management of the historic environment, with particular reference to Holy Trinity Church, the Forum and the SHiP project.

RESOLVED that the performance report be noted and the hard work and dedication of Planning Staff and colleagues within other service areas be acknowledged to continuously improve performance and the reputation of the Council against the background of the current difficult economic circumstances and low morale.

- P
53/09**
- 1. Appeal - Mr D Holmes - The Stables Kirk Hill Redmarshall - 08/2414/FUL - DISMISSED**
 - 2. Appeal - Mr I Peary - 4 Humber Grove Billingham - 08/3007/FUL - Dismissed**

RESOLVED that the Appeals be noted.