

Planning Committee

A meeting of Planning Committee was held on Wednesday, 23rd September, 2009.

Present: Cllr Roy Rix (Chairman); Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Julia Cherrett (Vice Cllr Mrs Maureen Rigg), Cllr Robert Gibson, Cllr Jean Kirby, Cllr Miss Tina Large, Cllr Fred Salt and Cllr Steve Walmsley.

Officers: B Jackson, G Archer, P Whaley, P Shovlin, J Roberts, K Campbell (DNS); P K Bell, J Butcher (LD).

Also in attendance: Applicants, agents and members of the public;
Councillor Laing for agenda item 11 - 09/1478/REV - 3 Willowdene Avenue, Stockton-on-Tees.

Apologies: Cllr Paul Kirton, Cllr Bill Noble, Cllr Ross Patterson and Cllr Mrs Maureen Rigg.

P 66/09 **Declarations of Interest**

Councillor Mrs Beaumont declared a personal prejudicial interest in respect of agenda item 5, item 6 and item 7 - Bede Sixth Form College, Hale Road, Billingham as she was on the Board of Governors at Bede Sixth Form College. Councillor Mrs Beaumont withdrew from the meeting and left the room during consideration of the items.

Councillor Rix declared a personal prejudicial interest in respect of agenda item 11 - 09/1478/REV - 3 Willowdene Avenue, Stockton on Tees, TS18 4EL - Revised application for two storey extension to the side, single storey extension to the rear and porch and bow window to front as he was a personal friend of the applicant. Councillor Rix withdrew from the chair/meeting and left the room during consideration of the application.

P 67/09 **Peter Whaley - Planning Officer**

The Chairman informed Members that Peter Whaley - (Team Leader - Planning) would be retiring in the near future. All Members of the Committee thanked Peter for his work at Stockton on Tees Borough Council over the last 13 years and wished him well in his retirement.

P 68/09 **Minutes**

The minutes of the meeting held on Wednesday, 1st July, 2009 were signed by the Chairman as a correct record.

P 69/09 **Minutes**

The minutes of the meeting held on Wednesday, 22nd July, 2009 were signed by the Chairman as a correct record.

P 70/09 **09/1468/VARY Bede Sixth Form College, Hale Road, Billingham Application to vary condition 2 No. (approved plans) to vary condition 6 No. (Means of enclosure) of 07/2731/FUL (Erection of 2 no. storey sports centre adjacent to proposed educational facility including all weather pitch).**

Consideration was given to a report on a planning application to vary condition 2 No. (approved plans) to vary condition 6 No. (Means of enclosure) of 07/2731/FUL (Erection of 2 no. storey sports centre adjacent to proposed educational facility including all weather pitch) at Bede Sixth Form College, Hale Road, Billingham.

Two previous applications had been approved by Members for development on the site, the first being for the erection of a three storey education facility with associated car parking (07/2730/FUL) and the second for the erection of a two Storey sports centre facility including an all weather pitch (07/2731/FUL).

Planning consent was sought to vary the approved plans and means of enclosure approved under application 07/2731/FUL. Further revised plans had also been received since the original submission of the application revising details on the boundary fence on the southern boundary and in relation to the fencing surrounding the all weather sports pitch.

Both previous applications that had been approved by Members arose from the need to provide replacement and improved accommodation for education and sports facilities following the amalgamation of Stockton Riverside College and Bede Colleges. The college building and the sports centre had been constructed on site in accordance with the above applications.

Planning consent was sought to vary the approved plans and means of enclosure approved under application 07/2731/FUL. Further revised plans had also been received since the original submission of the application, revising details on the boundary fence on the southern boundary and in relation to the fencing surrounding the all weather sports pitch.

Changes relating to the erection of the golf ball netting around the college building were to be considered under a separate application (app ref 09/1469/VARY).

The main changes sought under this variation application were:-

- * Extension of 2,4m weld mesh perimeter fencing on the western boundary
- * Increase in height of the all weather sports pitch fencing from 3m/5m to 5m
- * Addition of ball stop netting to goal area of all weather sports pitch reaching height of 10m
- * Relocation of 5m high ball stop netting back to 2m off boundary and further relocation of netting off boundary adjacent to sports pitch (eastern edge)
- * Temporary cleft chestnut fencing (until planting established)

The report detailed the consultees that been notified and the comments that received were set out within the report.

A list of the objections that had been received was detailed within the report.

With regard planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless

material considerations indicate otherwise. In this case the relevant Development Plans was the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

Policy GP1 was considered to be relevant to the consideration of the application.

The main planning considerations of the application were compliant with planning policies, the visual impacts, impacts on residential amenity and access and highway safety and the existing planning consent.

With regard to the principal of development the application site lay within the previous limits to development and was classed as previously developed land. Planning permission had also been granted for the erection of both the main three storey college building and the 2 storey sports facility under applications 07/2730/FUL and 07/2731/FUL. As both the college and sports facilities had been constructed, the permissions had been implemented and remain extant.

Consideration was therefore only be given to the amendments of the previously approved plans and the alterations to the fencing positions, heights and styles.

The report outlined that as the majority of the fencing was hidden from the main vantage point of Marsh House Avenue and the style of the proposed fencing had already been accepted under the previous approvals, (with the exception of the ball stop netting to the all weather sports pitch) the visual impacts of the proposed relocated fencing positions was limited.

Given the position of the all weather sports pitch behind the sports centre building the increase in the height of the fencing from 3 to 5 metres and the additional ball stop netting behind the goals would largely be hidden from view of the street scene.

On that basis, the proposed development was therefore not considered to have a detrimental impact on the visual amenity of the locality the proposal was therefore considered to be acceptable and accords with policy GP1 of the adopted Stockton on Tees Local Plan in this respect

As the relocation of the 2.4m high weld mesh perimeter fencing on the western boundary replicated the positioning of the rest of the perimeter fencing on this boundary, it was not considered that this would have a detrimental impact on the amenity of the residents of Hale Road

The increase in height of the fencing surrounding the all weather sports pitch and the additional ball stop fencing would be situated in excess of 100 metres from the residential properties and again was not considered to have a detrimental impact of existing levels of residential amenity.

Many of the residents of Low Grange Avenue had raised concerns in relation to the height and positioning of the ball stop fencing on the southern boundary and how this may impact on their residential amenity and enjoyment of their gardens. Whilst these concerns were appreciated and duly noted, it was recognised that a 5m high ball stop fence was approved under the previous application, 2 metres from the southern boundary. The amended drawings

showed that the fence position remained largely in this approved position with the fencing along the eastern edge being located further away from the boundary. Given that this was an improvement on the previously approved position of the fencing on the southern boundary it was considered that fencing alignment was acceptable.

Comments received in relation to the noise and disturbance from all of the sports pitches was duly noted, however, these remained in the same position as previously approved, albeit with a minor amendment to the rugby pitch. Nevertheless, it was not considered that this relocation or any subsequent impacts would significantly worsen the existing situation.

Several objections had been received in relation to the impacts of the proposed development over a potential loss of views from the existing residential properties. Whilst these concerns were appreciated under planning law no one person had a right to a view and these concerns cannot be considered as material planning considerations.

The Head of Technical Services had commented that the proposed fencing changes related solely to landscape matters and they had no objections to the proposed development. The proposed development was therefore not considered to pose and significant threat to highway safety.

Several objectors had also raised the issue of the potential impact the proposed development may have on property prices in the area. The potential impacts of proposed developments on property prices was not a material planning consideration and could not therefore be taken into consideration in the determination of the planning application.

One letter of representation had questioned whether planning permission was required for the erected CCTV camera to the front of the application site. Whilst this comment was acknowledged, it was not a planning consideration when assessing the application and would be investigated as a separate matter.

Whilst the comments raised in relation to the demolition of the existing college building were appreciated this issues had not changed since the approval of the previous applications.

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

In light of the report and with consideration to the previous planning permission Members felt that the proposed changes to the fencing details were considered to be acceptable and would not have any detrimental impacts on the visual amenity of the locality, the amenity of neighbouring occupiers or highway safety.

Subsequently, the proposal was considered to accord with saved policy GP1 of the adopted Stockton on Tees Local Plan.

RESOLVED that Planning application 09/1468/VARY 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
A(90)GAP001 REV A	16 June 2009
L(00)GAP001 REV H	29 June 2009
L(90)GAP002 REV M	25 August 2009

02. No construction or construction related operations shall take place outside the hours of 0800 to 1800 hours Monday to Friday, 0800 to 1300 Saturdays with no working on Sundays or Public/Bank Holidays.

03. Notwithstanding the submitted details and prior to the commencement of development, a scheme showing the layout of playing pitches, associated equipment and structures, surfacing, means of construction, finish and means of enclosure and any illumination, shall be submitted to for consideration and agreement of the Local Planning Authority. The agreed scheme shall thereafter be implemented in full and be available concurrent with the first use of the Sports Centre Building hereby permitted, and retained thereafter for the life of the building hereby permitted.

04. 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 commenced. 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.

(Councillor Mrs Beaumont left the room for the duration of the above item, having previously declared a prejudicial interest.)

P **09/1469/VARY**
71/09 **Bede Sixth Form College, Hale Road, Billingham**
Application to vary condition 2 No. (approved plans) to vary condition 6
No. (means of enclosure) of 07/2730/FUL (Erection of 3 No. storey
education facility with associated car parking (demolition of existing
building)

Members were informed that the above application had been withdrawn.

P **09/1279/ADV**
72/09 **Bede Sixth Form College, Hale Road, Billingham**
Application for the erection of 1 No. totem sign and 1 No. pole mounted
banner sign (adjacent to Marsh House Avenue), 1 No. internally
illuminated fascia sign attached to the main SRC Bede Sixth Form

Building and 1 no. non-illuminated fascia sign attached to the SRC Sports Centre building.

Consideration was given to a report on an application for advertisement consent for the erection of 1 No. non-illuminated totem sign and 1 No. non-illuminated pole mounted banner sign (adjacent to Marsh House Avenue), 1 No. internally illuminated fascia sign attached to the main 'SRC Bede Sixth Form' building and 1 no. non-illuminated fascia sign attached to the 'SRC Sports Centre' building.

The application site was the newly developed Bede Sixth Form College and Sports Centre, which lay adjacent to Marsh House Avenue (west), Billingham. To the north was a large open playing field and beyond was Campus Secondary School. To the west and south were the residential properties located along Marsh House Avenue. To the south was Billingham Children's Day Nursery and Bede 6th Form College and beyond were the properties of Low Grange Avenue (south) and Marsh House Avenue (south west).

The main issues for consideration when assessing the application were the potential impact upon the amenity of neighbouring land users, the impact upon the character of the surrounding area and the implications for highway safety.

10 letters of objection had been received as a result of publicising the planning application from the neighbouring properties of Marsh House Avenue and Low Grange Avenue, who objected to the proposal on several grounds including impact on visual amenity, the location of the signs and that the submitted plans were unclear.

After further assessment of the submitted plans, that application was made invalid as it was considered that the submitted plans were unclear and inaccurate.

The applicant had subsequently submitted revised plans which were considered to be more accurate and comprehensible, whilst the description of the application had been updated to withdraw from the description the various non-illuminated pole and fence mounted signs which did not require advertisement consent under Schedule 3, Part 1, Class 2A of The Town and Country Planning (Control of Advertisements) Regulations 2007. All neighbours had been consulted on the submitted revised plans.

In accordance with the approved scheme of delegation, the application was reported to the Planning Committee for determination as more than 5 no. letters of objection to the scheme had been received as a result publicising the advertisement application from neighbouring properties.

Details of the consultations that had been notified and the comments received were set out within the report.

Neighbours were notified and the comments received were summarised within the report.

Following the submission of revised plans in which the location of the proposed signs in relation to adjacent residential properties was considered to be clearer

than the original submitted plans, neighbours were given a further 21 day consultation on these plans. No further objections had been received to date following consultation on the revised plans.

The relevant development plan was the adopted Stockton on Tees Local Plan and the relevant saved policies. GP1 and PPG19 Outdoor Advertisement Control were considered to be relevant planning policies to the consideration of the application.

The main considerations of the application related to the impact on visual amenity and the impact on highway and public safety and whether it satisfied the requirements of the Local Plan Policies and Government Guidance.

The report outlined that the proposed non-illuminated totem sign would be located to the west of the site, adjacent to entrance to the site and Marsh House Avenue. The sign would be located approximately 32m and 88m from the nearest adjacent residential properties to the west and south of the proposed signage location respectively. Given these separation distances, together with the proposed sign is non-illuminated, of a modest scale and design and the presence of a busy highway in between the proposal and the residential properties to the west of the site' it was considered that the proposed signage would not have a significant detrimental impact upon the visual amenity of the area.

The proposed non-illuminated banner sign would have a maximum height of approximately 3.3m and would be set back from the main highway (west) behind the existing 2m high (approximately) mature planting that runs parallel to the west of the application site. Given the presence of this planting and a separation distance of approximately 32m between the proposed sign and the nearest residential properties to the west of the site along Marsh House Avenue, it was considered that the proposed signage would not have a significant detrimental impact upon the visual amenity of the area.

The erected internally illuminated signage was located approximately 70m and 90m from the nearest residential properties to the west and south of the site. It was considered that these separation distances were satisfactory. However, given the surrounding area was predominantly residential in nature, it was considered necessary to limit the hours of luminance of the signage, so that the sign was turned off between 22:00 and 08:00 hours. This would be secured by planning condition. It was considered that the proposed signage would not have a significant detrimental impact upon the visual amenity of the area.

With regard to the erected non-illuminated sign to the front of the SRC Sports Centre building, given that the sign was non-illuminated and was located approximately 70m and 160m to the nearest residential properties to the west (Marsh House Avenue) and south (Low Grange Avenue) respectively, it was considered that the erected sign would not have a significant detrimental impact upon the visual amenity of the area.

It was considered that the proposed and erected signage would have a minimal impact on the character and appearance of the newly erected College buildings due to the matching design, mass and scale of the proposed and erected signage, which respects the proportions of the newly developed buildings and

the application site.

The Head of Technical Services had raised no objection to the proposed signage subject to illumination levels of the internally illuminated sign being limited to 400 cd/m². They had further recommended that a time limit be placed on the illuminated sign and LED reader due its location and height. These recommendations were considered to be acceptable and both the luminance level and time limit could be secured by planning conditions. Subject to these conditions, it was considered that the application would not result in an adverse impact upon highway or public safety.

The Council's Landscape Architect had raised no objections to the proposed signs subject to no resulting damage to the new trees that were to be planted as part of this development. Whilst these comments were acknowledged, the submitted plans did not indicate any removal of existing landscape features on site and therefore a condition to protect such landscaping features was not considered necessary in this instance.

With regard to other matters raised in the letters of objection, the impact of the erected College buildings had previously been considered under planning approvals 07/2730/FUL and 07/2731/FUL. With regard to the comments relating to the detrimental impact of the erected 'golf ball nets' around the perimeter of the site, this was to be considered as part of the recently submitted applications (reference 09/1468/VARY and 09/1469/VARY). This application sought advertisement consent for the erection of 4 signs and therefore these issues were not planning considerations when assessing this application.

One letter of representation had questioned whether planning permission was required for the erected CCTV camera to the front of the application site. Whilst this comment was acknowledged, it was not a planning consideration when assessing the application and would be investigated as a separate matter.

Members considered the design of the signage to be acceptable and in keeping with the character of the application site and the surrounding area. It was considered that the signage would not result in an adverse affect upon the visual amenity of the area or highway safety. The proposed signage accorded with policy GP1 of the adopted Stockton on Tees Local plan and national policy guidance within PPG19 and as such was considered to be acceptable.

RESOLVED that Planning application 09/1279/ADV 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
1-11 REV K	28 May 2009
2-11 REV K	28 May 2009
SBC0001	28 May 2009
3-7 REV E	10 August 2009
A(00)GAE001 REV D	10 August 2009

1-7 REV E 10 August 2009
52168/R1 REV C 10 August 2009
A(00)GAE001 REV G 10 August 2009
52168/R1 REV B 10 August 2009
A(00)GAP002 REV 01 10 August 2009

02. Notwithstanding the submitted information, the 1 no. internally illuminated fascia sign, including the LED reader, hereby approved shall not be illuminated outside the hours of 22:00 and 08:00.

03. Notwithstanding the submitted information, the 1 no. internally illuminated fascia sign hereby approved shall not exceed a luminance of 400 cd/m².

(Councillor Mrs Beaumont left the room for the duration of the above item, having previously declared a prejudicial interest.)

P
73/09

09/1263/FUL

42 Yarm Road, Stockton-on-Tees, TS18 3NG
Conversion of offices to form 9 self contained apartments with a three-storey extension to the rear.

Consideration was given to a report on planning application - 09/1263/FUL - 42 Yarm Road, Stockton-on-Tees, TS18 3NG - Conversion of offices to form 9 self contained apartments with a three-storey extension to the rear.

Planning permission was sought for the conversion of a three-storey office building into 9 apartments and the erection of a three-storey extension to the rear. The development included 10no. parking spaces and shared an access with 40 Yarm Road.

The application originally included an extension to the existing hostel, which had been removed from the scheme and did not form part of the application.

A total of 58 letters of objection had been received, however the main objections related to development at the hostel (40 Yarm Road). No objections had been received to the revised plans, which specifically relate to the 9no apartments.

Members were reminded that the application was deferred to allow further consultation with Regeneration, Neighbourhood Groups and Parkfield and Mill Lane Neighbourhood Manager Pathfinder Groups and their comments to be incorporated into the officer report. The comments received were detailed within the report.

The report detailed the consultees that been notified and the comments that received were set out within the report.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate

otherwise. In this case the relevant Development Plans was the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

GP1, HO3, HO6, HO11, PPS3, SPD3 and SPG4 were considered to be the relevant planning policies for consideration with the application.

Objections had been raised with regard to the type of accommodation provided, and the number of similar types of accommodation in the area. Whilst it was noted that the area did contain similar types of accommodation, bedsits and HMOs, the development accorded with National and Local Guidance. With no robust evidence that the area had an over supply of this type of housing, it was considered that the use did not conflict with relevant development plan policies, the premises were acceptably located for residential purposes, and that the use results in no unacceptable effects on the living conditions of residents. In addition, Housing Renewal (Regeneration) raised no objections to the proposed scheme and welcomed the investment into the area.

Objectors had also raised concerns about the transient nature of the development and that the area needed family apartments. The proposed scheme was for 9 apartments of one and two bedrooms. Whilst the length of time for occupation was not a matter for consideration by the local planning authority it was noted that the application made no reference to the use of the building for temporary residency.

Objections had been raised to the scheme in respect to anti social behaviour and safety when using the ATM. It was considered that the site was laid out in a manner, which gave a relatively high level of surveillance, particularly to the front of the site and the area where the car park was located. Issues such as fear of crime based on assumptions and not supported by evidence as to the characteristics of the future occupiers could not be taken into account in the determination of the proposal.

Members considered that the proposed development was of a design, layout and scale, which was acceptable and prevented any significant undue impacts on the amenity and privacy of neighbouring properties. It was considered that the scheme could adequately provide access, parking, cycle storage, bin storage and amenity space, being in accordance with Policies GP1, HO3 HO6 and HO11 of the Stockton on Tees Local Plan.

RESOLVED that planning application 09/1263/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
020_C Location/site Plan	26 August 2009
001_A Existing Ground Floor Plan	26 August 2009
002_A Existing Upper Ground Floor Plan	26 August 2009
003_B Existing First Floor Plan	26 August 2009

005_B Existing Elevations 9 September 2009
010_C Proposed Site Plan 26 August 2009
011_C Proposed Ground Floor Plan 26 August 2009
012_B Proposed Upper Ground Floor Plan 26 August 2009
013_B Proposed First Floor Plan 26 August 2009
014_B Proposed Second Floor plan 26 August 2009
016_B Proposed Elevations 2 26 August 2009

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).

03. 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, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or 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.

04. 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 Local Planning Authority in writing in the first planting season following commencement of the development 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.

05. 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.

06. Notwithstanding the proposals detailed in the submitted plans no development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) 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.

07. All existing trees/hedgerows on the site and within 10m of the site boundary should be protected during the site works in accordance with the provisions of B.S.5837:2005 Trees in relation to construction. A written undertaking to meet the requirements of tree protection should also be submitted, which should include the following:-

- No work shall commence until the approved Tree Protection Barriers are erected.
- No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree.
- No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree or within the Root Protection Zone.
- No materials shall be stored or machinery or vehicles parked within the Root Protection Zone.
- No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone.
- No unauthorised trenches shall be dug within the Root Protection Zone.
- No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

08. Prior to the development, hereby approved, being brought into use, the car parking shall be provided within the curtilage of the property in accordance with Plan 010_B (dated 16 July 2009), the surface of which shall be in accordance with the details to be submitted to and approved by the Local Planning Authority. The approved spaces shall then be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

09. Prior to the occupation of the buildings hereby approved, a scheme setting out the detail of secure, covered cycle parking for 5no bicycles shall be submitted to, for consideration and approval by the Local Planning Authority. The approved scheme shall be implemented in full prior to the occupation of the buildings hereby permitted, unless the written prior agreement of the Local Planning Authority is obtained.

10. Notwithstanding details hereby approved, the precise location, size and design of the bin stores shall be submitted to and approved in writing by the Local Planning Authority prior to development being commenced on site and the approved stores shall be implemented on site and brought into use prior to occupation of the site.

11. 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).

P 09/1382/FUL
74/09 1 The Groves, Stockton-on-Tees, TS18 3PU
Retrospective change of use from residential to House in Multiple Occupation.

Consideration was given to a report on planning application - 09/1382/FUL - 1 The Groves, Stockton-on-Tees, TS18 3PU - Retrospective change of use from residential to House in Multiple Occupation.

Planning permission was sought for retrospective change of use from residential to House in Multiple Occupation (HIMO), with no external alterations at No.1 The Groves, Stockton.

A total of six letters of objection had been received (five from local residents and one from the ward councillor). The comments received were with respect to an increase in anti-social behaviour, an increase in number of HIMOs in this locality, depreciation in house prices due to these developments, car parking concerns and concerns over occupation of this property by asylum seekers.

Where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans was the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

Planning Policy GP1 and H06 were considered relevant to the consideration of the application.

Members considered that the proposed development to be acceptable and would not have an adverse impact on the privacy or amenity of neighbouring properties or highway safety.

RESOLVED that Planning application 09/1382/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
SBC0001 9 June 2009

02. Notwithstanding the submitted information precise details of refuse storage and recycling facilities shall be submitted to and agreed in writing with the Local Planning Authority within one month from the date of approval.

P 09/1752/FUL
75/09 High Tree Paddock, High Lane, Maltby
Application to allow permanent retention of 1 no. residential static caravan, calor gas tank, timber gates and stone piers.

Consideration was given to a report on planning application 09/1752/FUL - High Tree Paddock, High Lane, Maltby - Application to allow permanent retention of 1 no. residential static caravan, calor gas tank, timber gates and stone piers.

Planning permission was sought for the permanent use of land as a gypsy site which included the provision of a residential caravan, stables gas tank and other ancillary structures.

No objections had been received in respect to the proposal and the Head of Technical Services considered the proposal would not unduly affect highway safety.

The report outlined that the site was located on the urban fringe within close proximity to a range of services, which although not extensive were considered to give a sufficient degree of sustainability for a use of this type.

The site was screened in part whilst should not have any significant detrimental impact on highway safety, privacy or amenity as a result of its scale of provision and location.

The report outlined that the existing designated gypsy site at Bowesfield was at capacity whilst previous temporary approvals had been granted at this site in 2003 and 2005. In view of a current lack of designated sites, the relative sustainable location of the site and its grouping with other uses and its limited impact on the surrounding environment, the report considered that the proposal accorded with Government Guidance contained within circular 01/06 - Planning for gypsy and traveller caravan sites.

An update report was presented to Members that outlined that a letter of objection had been received from Maltby Parish Council in respect to the proposed scheme. The objections raised were contained in the report.

Comments made in relation to the background to the proposal, the use of the land for this purpose and the establishment of a gypsy site, the sites access and the issue of the previous application having lapsed had all been detailed within the main report and had been considered accordingly in reaching the recommendation. The Parish Council was incorrect in asserting that planning permission had been refused in the past for a residential static caravan on this site or that an "order" was served by the Council for the owners to vacate the site.

With regard to the comment that there was evidence that stable block being used for residential purposes, the case officer was not aware of this being the case and the allegation would be investigated. However, the application related to the permanent retention of 1 no. residential caravan and the stable block and did not seek permission for the residential use of the stable block. The recommended conditions control the details of the approval.

Comments had been made in respect to health and hygiene and the utility services on the site. The use of the site would require building regulation approval which would control drainage related matters and as such were not being proposed to be controlled by this application.

Members and Officers debated the granting of a further temporary permission until such time as the DPD will be adopted which may identify a permanent alternative site. A motion was proposed to grant a temporary permission but this was not seconded.

Members and Officers debated reasons for refusal of the application. Members supported the Parish Council objection and were minded to refuse the application on that basis and that the site did not create or support sustainable, respectful and inclusive communities.

Members were minded to refuse the application however the Legal Officer and Development Control Manager were of the opinion that a refusal on the grounds suggested would be unreasonable and that the application be deferred under the Planning Committee Decisions Protocol to enable further consideration and advice by Officers.

RESOLVED that the Planning Committee Decisions Protocol be invoked and therefore planning application 09/1752/FUL be deferred for further consideration by Officers and subsequent advice to Members when the application returns to committee.

P **09/1478/REV**
76/09 **3 Willowdene Avenue, Stockton-on-Tees, TS18 4EL**
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 planning application 09/1478/REV - 3 Willowdene Avenue, Stockton-on-Tees, TS18 4EL - Revised application for two storey extension to the side, single storey extension to the rear and porch and bow window to front.

The revised application 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 application site was a detached, two storey, three bedroom dwelling, located along Willowdene Avenue, Stockton on Tees, which was a road of

various style properties. To the north is No 1 Willowdene Avenue, to south is No 3, to the front (west) are Ellonby, Park Spring Cottage and No 2 Willowdene Avenue, and to the rear (north east) was No 64 Hartburn Lane.

This application was previously considered by the Planning Committee on the 22nd July 2009. The application was deferred by Members so that Planning Officer's could discuss with the applicant a revision of the proposed scheme so that the outside wall of the two storey side extension was kept in line with the outside wall of the existing attached garage to the side.

Whilst the applicant had chosen not to step the proposed extension in from the boundary to the degree of the extension lining up with the existing garage line, the submitted revised plans showed that the proposed two storey side extension would now be stepped in approximately 0.6m from the adjacent boundary, leaving approximately a 1.5m separation distance between No's 3 and 5 Willowdene Avenue. The submitted plans also showed an increase in width of the proposed single storey extension to the rear by an additional 0.45m, with the relocation of a single access door from the rear elevation (east) the side elevation (south).

The main planning considerations in 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.

2 letters 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. In addition, the neighbouring property had also questioned the accuracy of the submitted drawings, in particularly the extended roof height of No 1 Willowdene Avenue.

In accordance with the approved scheme of delegation, the application was being reported to the Planning Committee for determination as the applicant was an employee of the Council.

Members considered that overall the proposed development would not have a significant detrimental impact on the amenities of the area and was in accordance with Policies GP1 and HO12 of the Stockton on Tees Local Plan, Supplementary Planning Guidance Note 2 and Supplementary Planning Document 3.

RESOLVED that Planning application 09/1478/REV 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
SBC0001 16 June 2009

WA/09/02 6 August 2009

WA/09/03 6 August 2009

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.

03. Notwithstanding details submitted in the application, a roller shutter door shall be installed in the hereby approved integral garage, before it is brought into use in accordance with details to be submitted and approved in writing by the Local Planning Authority and shall be maintained for the life of the garage unless otherwise agreed in writing with the Local Planning Authority.

04. Prior to the development, hereby approved, being brought into use, two additional car parking spaces (to provide a total of three spaces), shall be provided within the curtilage of the property in accordance with Plan WA/09/03 (dated 6th August 2009), the surface of which shall be constructed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences. Such details shall provide for the use of permeable materials or make provision to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. The approved car parking spaces shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

(Councillor Rix withdrew from the Chair and left the room for the duration of the above item, having previously declared a prejudicial interest. Councillor Salt was in the Chair during consideration of the above item.)

**P
77/09**

09/1952/LBC

116 High Street, Yarm,

Listed building consent for internal alterations, formation of new external doorway in north elevation. Part repointing of south elevation.

Consideration was given to a report on planning application 09/1952/LBC - 116 High Street, Yarm - Listed building consent for internal alterations, formation of new external doorway in north elevation. Part repointing of south elevation.

The application sought listed building consent for internal alterations, formation of new external doorway in the north elevation and part re-pointing of the south elevation.

The property was a dwelling 116 High Street Yarm, known as Tom Browns House. The property was a grade II listed building and was situated in the Yarm Conservation area. The application was being reported to the Planning Committee as the applicant was an employee of the Council.

The main consideration of the application was the affect of the works on the

character and appearance of the grade II listed property.

Members considered the application acceptable in that it would not adversely affect the character and appearance of the grade II listed building.

RESOLVED that Planning application 09/1952/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
0933/014	31 July 2009
0933/010B	31 July 2009
0933/009B	31 July 2009
0933/006	31 July 2009

02. The new pointing shall match the original historic adjacent pointing in respect of colour and texture unless shown otherwise on the approved drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

03. All new works, and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to material, colour, texture and profile.

04. Full construction details of the proposed en-suite in bedroom one shall be submitted in writing before this element of the development hereby approved is implemented.

P
78/09 **09/2064/FUL**
12 Temple Court, Stockton-on-Tees, TS20 2AU
Erection of conservatory

Consideration was given to a report on planning application 09/2064/FUL - 12 Temple Court, Stockton-on-Tees, TS20 2AU - Erection of conservatory.

Planning permission was sought for the erection of a conservatory to the front of this mid terraced dwelling at No. 12 Temple Court, Tilery, Stockton. The property was located within a street scene of similar house types.

The applicant had replaced an existing 1.0m high timber fence enclosure to the front of the property with a 2.0m high timber close boarded fence to each perimeter of the site under permitted development rights due to the fence not being adjacent to any vehicular highway.

Due to the dwelling being an ex-council property, the applicant had not applied for permission for the fence under the restrictive covenants from the Council's legal division or the Housing estate office.

Within the application, one letter of objection had been received from the landlord of the neighbouring residents at No.10 and 11 Temple Court. The main objections related to the developments being out of character with surrounding area, having an adverse impact on the amenities of neighbouring residents and being an incongruous feature within street scene.

Due to the applicant being an employee of Stockton on Tees Borough Council the application required determination by the Planning Committee.

Members felt that the proposed conservatory would not have an adverse impact on the amenity of neighbouring occupiers and would not detract from the quality of the street scene.

The proposed development therefore accorded with policy GP1, HO12 of the Adopted Stockton on Tees Local Plan and guidance found within SPG2: Householder Extension Design Guide and is considered acceptable.

RESOLVED that Planning application 09/2064/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
SBC0001	17 August 2009
SBC0002	17 August 2009
09/02	17 August 2009
09/01	17 August 2009

02. The existing 2 metre high boundary fence shall be retained and maintained during the life of the conservatory.

P
79/09 **09/1887/FUL**
6 Harpers Green, Norton, Stockton-on-Tees
Erection of conservatory to the rear.

Consideration was given to a report on planning application 09/1887/P - 6 Harpers Green, Norton, Stockton on Tees - Erection of conservatory to the rear.

The planning application had been publicised by means of individual letters and there had been no letters of objection.

The applicant had stated within the application form that they were related to a Council Employee and therefore the application required to be determined by the Planning Committee.

The main considerations related to the effect on the privacy and amenity of the

neighbouring residents and the effect on the character and appearance of the area.

Members considered that the proposed conservatory was acceptable and did not have any undue impact on the residential amenity of the neighbouring properties and did not have a detrimental impact on the character of the area and did not conflict with policies in the Development Plan.

RESOLVED that Planning application 09/1887/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
SBC0001	27 July 2009
6HPG001	27 July 2009
6HPG002	27 July 2009
6HPG003	27 July 2009
6HPG004	27 July 2009
6HPG005	27 July 2009
6HPG006	27 July 2009
6HPG007	5 August 2009
6HPG008	5 August 2009
6HPG009	5 August 2009
6HPG010	5 August 2009
6HPG011	5 August 2009

02. The materials used in the construction of the external walls and roof of the development, hereby approved, shall match those within the existing main dwelling unless otherwise agreed in writing by the Local Planning Authority.

**P
80/09** **Local Development Framework Steering Group Minutes**

Consideration was given to the Local Development Framework Steering Group Minutes of the meeting held on 3rd June 2009.

RESOLVED that the minutes of the Local Development Framework Steering Group be noted.

**P
81/09** **1. Appeal - Mr B Thomas - 1 Westgate Yarm - 08/2816/OUT - DISMISSED
2. Appeal - Eurosuites - Suiteworld Lustrum Avenue North Tees Industrial Estate Stockton - 08/1482/COU - ALLOWED WITH CONDITIONS**

RESOLVED that the appeals be noted.

