

Planning Committee

A meeting of Planning Committee was held on Wednesday, 3rd February, 2010.

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

Officers: B Jackson, C Straughan, R McGuckin, P Shovlin, J Roberts, C Snowdon, C Walsh, J Angus, G Laybourne (DNS); L Danby (CESC); P K Bell, J Butcher (LD).

Also in attendance: Applicants, agents and members of the public.

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

P Declarations of Interest

122/09

With regard agenda item 6 - 09/3015/LA Land at Tanners Bank/Poplar Road, Eaglescliffe, Stockton on Tees - Erection of 2 no. 15 metre high CCTV relay poles Councillor Mrs Rigg declared a Predisposition in favour of the application, having committed Community Participation budget funds to CCTV cameras/relay poles. Councillor Mrs Rigg had not pre-determined her position in regard to the siting and design of the relay poles which were the subject of this application.

With regard agenda item 6 - 09/3015/LA Land at Tanners Bank/Poplar Road, Eaglescliffe, Stockton on Tees - Erection of 2 no. 15 metre high CCTV relay poles Councillor Mrs Beaumont declared a Predisposition in favour of the application, having committed Community Participation budget funds to CCTV cameras/relay poles. Councillor Mrs Beaumont had not pre-determined her position in regard to the siting and design of the relay poles which were the subject of this application.

Councillor Beall declared a personal non prejudicial in respect of agenda item 4 - 09/2964/LA Land at Corner of Talbot Street, Norton Road, Stockton on Tees - Erection of two storey Myplace youth facility with open space, multi-use games area, car park and new access from Talbot Street as he was the Chair of Eastern Ravens Trust who were involved discussions about using space in Myplace.

P Minutes

123/09

The minutes of the meetings held on 25th November 2009 and 16th December 2009 were signed by the Chairman as a correct record.

P 09/2964/LA

124/09

**Land at Corner of Talbot Street, Norton Road, Stockton on Tees
Erection of two storey Myplace youth facility with open space, multi-use
games area, car park and new access from Talbot Street.**

Consideration was given to a report on an application that sought full planning permission for a two storey (including three storey staircase) detached Youth Centre (Myplace) with a Multi-Use Games Area, car park and new access from

Talbot Street, on a corner site of approximately 0.5 hectares fronting Norton Road and Talbot Street.

In March 2009 the Department of Children, Schools and Families (DCSF) announced that Stockton Borough Council had been awarded £4.9 million capital grant to create a new iconic youth facility in the Tilery area of Stockton on Tees.

Community consultation had been carried out in relation to the proposed redevelopment of the site and specifically with young people to ensure that the centre was being designed and constructed with the full involvement of young people and also residents surrounding the application site. The comments received helped shape the submission of the planning application for the Youth Centre layout and design.

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

It was noted that the applicant had undertaken consultation in accordance with the adopted Statement of Community Involvement. This included a wide range of events with additional information provided through a range of ways, leaflets, media coverage, specialised website design and internet services.

Local residents had been individually notified of the application and it had also been advertised on site and in the local press. The comments that had been received were detailed 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 saved policies of the Stockton on Tees Local Plan (STLP) and the Regional Spatial Strategy (RSS).

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The means of access, parking and traffic issues were detailed within the report.

Members agreed that if possible there should be more provision available for visitor cycle parking at the facility. The Acting Head of Technical Services outlined that he would look into the possibility of providing additional cycle parking at the facility for users/visitors.

Members felt that overall the nature and scale of the development was acceptable and parking provision and access was satisfactory. It was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and did not conflict with policies in the Development Plan.

RESOLVED that planning application 09/2964/LA 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
1150-01	4 December 2009
1150-02	4 December 2009
1150-03	4 December 2009
1150-04	4 December 2009
1150-05	4 December 2009
1150-08	4 December 2009
1150-9	4 December 2009
1150-10	4 December 2009
1150-13	4 December 2009
1150-14	11 December 2009

02. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.

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. Prior to the commencement of development, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

05. Prior to the commencement of development, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such street furniture as agreed shall be erected before the development hereby approved is occupied.

06. Full details of the method of external illumination including siting; angle of alignment; light colour and luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

07. 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: commencement of the development or agreed phases 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.

08. A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or approved phases.

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.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

09. No construction/building works 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. No Sunday/Bank Holiday working.

10. Notwithstanding the submitted information a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building. The Travel Plan shall establish clear targets and procedures for monitoring and review of such targets and any requisite infrastructure improvements and implementation timetable shall be agreed by the Local Planning Authority. The Travel Plan shall be implemented as approved.

11. A Construction Method Statement shall be submitted and agreed in writing, prior to the commencement of the development with the Local Planning Authority to effectively control any potential adverse impact of the development on the amenity of the public and nearby occupiers. This shall address off adopted highway road parking of vehicles of site personnel and visitors; Delivery and storage of plant and materials; Siting and design of temporary buildings; Scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies; Details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded. Scheme to control mud

on roads.

12. No development shall take place unless in accordance with the mitigation detailed within the protected species report 'BREEAM Education 2008: Land Use and Ecology Assessment' including, but not restricted to No vegetation clearances should take place during the bird breeding season (March to August inclusive) unless a suitably qualified ecologist has deemed it free from active nests.

13. The development shall secure at least 10% of its energy supply from renewable energy or low carbon sources, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place until an energy strategy has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed scheme shall be implemented in complete accordance with the details of the scheme unless otherwise agreed in writing by the Local Planning Authority.

14. Development shall not commence until a detailed scheme for the accurate location protection of and access to Northumbria Water apparatus during construction and afterwards of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

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

16. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by JBA dated November 2009 and drawing number ARC 1150 - 14 and the following mitigation measures detailed within the FRA: Finished floor levels are set no lower than 5.5 m above Ordnance Datum (AOD). Flood-proofing measures referred to in Paragraph 5.1 must be incorporated into the proposed development. Site layout is as per drawing number ARC 1150 - 14.

17. The development hereby permitted shall not be commenced until such time as a scheme for emergency evacuation from the development has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

P 09/3055/LA
125/09 Blue Hall Recreation Ground, Norton Avenue, Norton
Installation of 1 CCTV camera on a 15m high pole

Consideration was given to a report on an application that sought planning permission for the erection of 1 CCTV camera attached to a 15m high pole to monitor the open space and play area within Blue Hall Recreation Ground. The

proposal would be located within the centre of the Recreation Ground, adjacent to the footpath that ran through the centre of the site, and would be positioned adjacent to existing mature trees.

The application site was Blue Hall Recreation Ground, located off Norton Avenue, Norton. The site consisted of a large playing field with a play area to the south east of the site. A footpath ran through the centre of the site from Leven Road (north) to Norton Avenue (south). Residential properties enclosed the site to the north, south, east and west.

The main planning considerations of the application were the impact on visual and residential amenity including the impact on privacy, and the impact on existing landscaping features within the site and any residual matters.

No objections had been received from The Acting Head of Technical Services, the Council's Landscape Architect or the Environmental Health Unit.

A letter of representation had been received from the neighbouring property of No 51 Eamont Road, who had raised concerns with regard to the proposed CCTV camera monitoring his garden and bedroom and therefore leading to a loss of privacy.

The application was being reported to the Planning Committee for determination as the proposal did not fall within the scheme of delegation.

Members felt that the location of the proposed CCTV camera within the park was acceptable. The development was considered to be an important resource in providing a safe and secure environment for local residents and their families. The proposal was therefore judged to accord with saved policy GP1 and with the aims of PPG17.

RESOLVED that planning application 09/3055/LA 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	18 December 2009
SBC0002	17 December 2009
SBC0003	17 December 2009

02. The camera and pole shall be erected and maintained as specified in the Technical Specification submitted with the application, including the camera being contained within a domed mounted head. The camera shall only operate with the 'privacy zone' function software enabled.

03. Notwithstanding the submitted details the development shall be finished and painted in accordance with a colour scheme to be agreed in writing with the Local Planning Authority. The agreed colour scheme shall be maintained thereafter, unless otherwise agreed in writing with the Local Planning Authority.

04. The CCTV camera and pole and all other associated apparatus and equipment shall be removed from the site within three months of the date that the camera is no longer required for CCTV purposes and has ceased to operate.

05. Before the CCTV camera is brought into operation precise details shall be submitted to and approved in writing by the Local Planning Authority of the means by which the frequency of the signal of the CCTV camera will be controlled and monitored to prevent any interference with the signals of appliances of the occupants of surrounding residential properties. Thereafter the camera shall be operated in accordance with the details of control as approved, unless otherwise agreed in writing with the Local Planning Authority.

P 09/3015/LA
126/09 Land at Tanners Bank/Poplar Road, Eaglescliffe, Stockton-on-Tees
Erection of 2 no. 15 metre high CCTV relay poles

Consideration was given to a report that sought planning permission for the erection of 2 CCTV relay poles; one pole would be located at Tanners Bank, Aislaby Road, Eaglescliffe and the second relay pole would be located at Poplar Road, Eaglescliffe. The poles would measure a maximum of 15m in height x 0.35m in width x 0.4m and did not contain any camera equipment.

The proposed 15m high CCTV relay pole at Tanners Bank would be located on the south side of the highway (Aislaby Road) and would be adjacent to the railway bridge. The proposal would be erected against a backdrop of mature trees and planting and would be located next an existing street lighting column. The proposed pole at Poplar Road would be located on a small strip of grassed area, which lay adjacent to the highways of Uray Nook Road (west) and Poplar Road (east).

The main planning considerations of the application were the impact on visual and residential amenity, and the impact on existing landscaping features within the site and any residual matters.

No objections had been received from The Acting Head of Technical Services, the Council's Landscape Architect or the Environmental Health Unit.

5 letters of representation had been received from neighbouring properties; 4 letters had been received from residents within vicinity of the site at Poplar Road, who had raised concerns with regard to the impact of the poles on the signals of domestic appliances, and the impact on health and safety. 1 letter of objection had been received from Prospect House, which was located within vicinity of the proposed site at Tanners Bank. The objection related to the impact on the surrounding area, the impact on health and safety and several other matters related to the application being invalid.

The application was being reported to the Planning Committee for determination as it was a development by Stockton on Tees Borough Council and the proposal was not within the scheme of delegation.

Members received an update report which outlined that since the publication of

the original report, one additional letter of representation had been received from the residential property of Kirngarth, Aislaby Road. The representation supported the principle of the application but had raised concerns with regard to the potential for the future use of the 2 CCTV relay poles for CCTV cameras, which could lead to an adverse loss of privacy. The submitted representation also stated that the proposal would lead to a loss of visual amenity and would result in a loss of property value.

With regard to the future use of the proposed CCTV relay poles for CCTV camera use and the associated potential loss of privacy, the applicant had confirmed that the proposed CCTV relay poles did not include any camera equipment. Any additional equipment would not be in accordance with the agreed details and would require planning permission. The impact of the proposed CCTV relay poles on the privacy of adjacent neighbouring land users had been addressed within the main Report. As the poles did not contain any cameras, it was considered that the proposal would not lead to an adverse loss of amenity in terms of loss of outlook, overlooking, and overbearing for adjacent residential properties.

The impact of the proposed CCTV relay poles on the visual amenity of the surrounding areas at the respective sites of Tanners Bank and Poplar Road had been addressed in the main report.

The matter of the CCTV relay poles leading to a reduction in property value was not a material planning consideration.

It was considered that the additional comments raised did not alter the conclusions or recommendation within the main report.

Members felt that the locations of the proposed CCTV relay poles at both locations were acceptable and that the proposals would not have a significant adverse impact on the visual amenity of the respective surrounding areas or lead to a loss of amenity for respective neighbouring properties. Members considered that the proposals would not adversely affect existing landscape features or lead to an adverse loss of highway or public safety. Members further considered that the proposed scheme would not give rise to any adverse health and safety implications or adversely affect the frequency of the signal to domestic appliances. Members felt that the proposed scheme accorded with saved policy GP1.

RESOLVED that planning application 09/3015/LA 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 December 2009
2	11 December 2009
3	11 December 2009
4	11 December 2009
5	11 December 2009

Finishing colours of relay poles

02. Notwithstanding the submitted details, the 15m high CCTV relay pole to be located at Tanners Bank shall be finished in a green colour (RAL 6005) and the 15m high CCTV relay pole to be located at Poplar Road shall be finished in aircraft grey colour (BS4800 18 B 25), unless otherwise agreed in writing with the Local Planning Authority.

03. Before the CCTV relay poles are brought into operation precise details shall be submitted to and approved in writing by the Local Planning Authority of the means by which the frequency of the 2 relay poles signals will be controlled and monitored to prevent any interference with the signals of appliances of the occupants of surrounding residential properties. Thereafter the 2 relay poles shall be operated in complete accordance with the details of control as approved, unless agreed in writing with the Local Planning Authority.

04. The 2 CCTV relay poles and all other associated apparatus and equipment shall be removed from the site within three months of the date that the poles are no longer required for CCTV purposes and have ceased to operate.

P PLANNING PERFORMANCE

127/09

Consideration was given to a report that updated Members on the performance of the planning department for the third quarter of 2009/2010.

There were a range of National Indicators (NI) against which the performance of the Council was 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 Stockton on Tees Borough Council was an "excellent" Council

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

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

The NI indicator was reported on the annual year-end results, and the third quarter's results were available. Performance results achieved for that period

were 90.00% for major applications, 87.50% for minor and 94.92% for others, achieving above performance in all 3 categories. A Table and a chart in the report highlighted performance over the third quarter/year to date.

Performance in all categories had exceeded NI standards in the second quarter of the year, and also the cumulative figures for the year to date. The 2 majors which missed the target date for determination were the residential development at Allens West where the section 106 agreement was only signed before Christmas due to the company going into receivership as a result of the economic climate, and a variation of an existing approval for a residential development off Millbank Lane in Thornaby.

With regards to staffing, Simon Grundy had been appointed Area Team Leader to replace Peter Whaley who had retired in September 2009, and Ann Austin retired from her post as Enforcement Officer. It was not the intention to fill these 2 vacant posts at the time of this meeting. In addition, Fiona Bage, the Historic Buildings Officer, started her maternity leave and would be off for a year, with the job role being shared amongst existing staff on a temporary basis.

The Housing and Planning Delivery Grant (HPDG) allocation for 2009/2010 was received prior to Christmas 2009, with just over £296,000 being awarded to Stockton for its housing delivery, and for progress with the LDF and associated documents, including the SHLAA. This was in excess of what had been anticipated, and it was rewarding to see the hard work of all the staff reflected in the size of the grant allocation. It was not known if HPDG would continue in the next financial year, which could potentially place a budgetary pressure on the service and its delivery.

The Chairman thanked the Head of Planning for all of the hard work and dedication that she and her staff had put into continuously improving performance of the Planning Department. The Chairman particularly drew Members attention to the smooth transition that the Head of Planning had achieved during a time of great change to the work of the Department. The Chairman outlined that he would be writing to all of the Officers in the Planning Department thanking them for their hard work and dedication.

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

P **1. Appeal - Mr Reed - Land to the rear of the Claireville Hotel 517 - 519**
128/09 **Yarm Road Eaglescliffe - 09/1993/X - ALLOW - Felling of Monkey Puzzle**
 Tree. DISMISS - Felling of Beech Tree.

RESOLVED that the Appeal Decisions be noted.