

Planning Committee

A meeting of Planning Committee was held on Wednesday, 25th August, 2010.

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

Officers: B Jackson, R McGuckin, P Shovlin, J Roberts, F Farooqui, K Campbell (DNS); P K Bell, J Butcher (LD).

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

Apologies: Cllr Mrs Jennie Beaumont, Cllr Jim Beall, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Ross Patterson, Cllr Mrs Maureen Rigg and Cllr Steve Walmsley.

P **Councillor Allison Trainer**
48/10

Members stood in a minutes silence as a mark of respect for Councillor Allison Trainer.

P **Declarations of Interest**
49/10

Councillor Gibson declared a personal prejudicial interest in respect of agenda item 5 - 10/1628/COU - 1 St Paul's Terrace, Stockton-on-Tees, TS19 0AH - Retrospective application for change of use from single dwelling house to House in Multiple Occupation as he was Ward Councillor for the application site and had objected to the proposal. Councillor Gibson spoke on the item and then withdrew from the meeting and left the room.

P **10/1730/RET**
50/10 **21 Ashville Avenue, Eaglescliffe, Stockton-on-Tees**
Retrospective application for the installation of a carport to the front of the property.

Consideration was given to a report on a planning application for retrospective planning permission for a car port which had been erected adjacent to the highway to the front of the property. Seven letters of support had been received from neighbouring residents. No objections were raised by the Acting Head of Technical Services as the development did not impact upon the parking arrangements. However, whilst it was acknowledged that boundary treatments adjacent to the shared boundary with number 19 Ashville Avenue provide some screening for the development from the west, it was considered that the structure would result in an incongruous feature which would dominate the street scene when viewed from the west. The Planning Officer therefore recommended that the development be refused and enforcement action be authorised.

Retrospective planning permission was sought for a car port erected to the front of the property. The car port was located adjacent to the highway to the front of the dwelling and measures approximately 4 metres wide with a length of approximately 5.8 metres. The rear garden serving the site was on a higher level than the front of the property as such a retaining wall with steps had been

installed to replace the sloping land.

The materials used consisted of black painted steel posts with timber trellis and joists with poly carbonate sheet roofing.

The applicant had stated that the works were carried out for medical reasons to improve access to the property.

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

Neighbours were notified and the comments that had been received were 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 should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

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

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

Members felt that the structure would not have a detrimental impact upon the amenity of neighbouring properties or highway safety. However Members felt that the car port introduced an incongruous feature which was out of keeping with the character and appearance of the surrounding street scene. It was possible for the carport to be located further back into the site in an appropriate location but the applicant had refused to amend the application. As such it was considered that the development was contrary to policy CS3 of the adopted Core Strategy and guidance within PPS1 and PPS3 and should be refused and that the Director of Law and Democracy be authorised to undertake all necessary legal action to remove the unauthorised development for the reasons stated above.

RESOLVED that planning application 10/1730/RET be refused and that appropriate enforcement action is authorised for the following reason:-

1. In the opinion of the Local Planning Authority the development, by virtue of the position, size and design, results in an incongruous feature within the street scene to the detriment of the character and appearance of the surrounding area contrary to policy CS3 of the adopted Core Strategy and guidance within PPS1 and PPS3.

P **10/1396/FUL**
51/10 **25 Tunstall Road, Stockton-on-Tees,**
 New bungalow to the rear of 23 and 25 Tunstall Road

Consideration was given to a report on an application for a bungalow in the rear gardens of number 23 and 25 Tunstall Road, Stockton. The proposed dwelling would consist of two bedrooms and access would be gained from Masterton Drive. Sixteen letters of objection had been received from neighbouring residents and a letter of objection had been received from one of the Ward Councillors.

The application site was of sufficient size to accommodate a bungalow and maintain the separation distances normally sought for new residential developments with existing dwellings. The Planning Officer considered that the proposed bungalow would not significantly impact upon the amenity of neighbouring properties, highway safety or appear out of keeping with the character of the surrounding area. As such the proposed bungalow was considered to be acceptable.

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

Neighbours were notified and the comments that had been received were summarised 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 should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

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

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

Members felt that the proposal was considered to be visually acceptable and would not be detrimental to the amenity of the neighbouring properties or highway safety. The scheme was considered to be in accordance with policies CS2 and CS3 of the adopted Core Strategy and HO3 of the adopted Local Plan.

RESOLVED that planning application 10/1396/FUL be approved subject to the following conditions:-

1. The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

| Plan Reference Number | Date on Plan |
|-----------------------|--------------|
| SBC0001 | 28 May 2010 |
| 01 | 28 May 2010 |
| 03 | 28 May 2010 |

2. 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.

3. 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.

4. No construction activity shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 9.00 am – 1.00 pm Saturday and not at any time on Sundays or Bank Holidays.

5. 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.

6. The window in the side elevation serving the bathroom hereby approved; shall be fixed and glazed with obscure glass, details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved glazing shall be installed before the building hereby permitted is brought into use and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

7. Prior to the development, hereby approved, being brought into use, two parking spaces in accordance with details shown on plan number 02B shall be provided within the curtilage of the property 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.

8. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans

No development shall commence until a scheme for the protection of trees (Section 7BS 5837:2005 and Volume 4: NJUG Guidelines For The Planning Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007) has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection) which is available upon request.

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.

9. Notwithstanding the proposals detailed in the submitted plans, no development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the Local Planning Authority in writing in the first planting season following:-

a) commencement of the development

b) or agreed phases

c) or prior to the occupation of any part of the development

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

**P
52/10**

10/1628/COU

1 St Paul's Terrace, Stockton-on-Tees, TS19 0AH

Retrospective application for change of use from single dwelling house to House in Multiple Occupation

Consideration was given to a report on a planning application for retrospective change of use from single dwelling house to House in Multiple Occupation (HIMO), with no external alterations at No.1 St Paul's Terrace, 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 the application being retrospective, an increase in anti-social behaviour by the proposal, an increase in number of HIMO's in this locality, depreciation in house prices due to these type of tenure, loss of family homes in this locality and present state of gardens along St Paul's Terrace.

The Planning Officer considered the application to be acceptable and would not have an adverse impact on the privacy or amenity of neighbouring properties or highway safety.

Consultees were notified and the comments that had been received were summarised within the report.

Neighbours were notified and the comments that had been received were summarised within the report.

With regard planning policy where an adopted or approved development plan contains 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 Plan was the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

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

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

Councillor Gibson had objected to the proposal as Ward Councillor. Councillor Gibson spoke on the item and then withdrew from the meeting and left the room.

Members discussed the application at length and considered the proposed change of use would not have a detrimental impact on the character of the surrounding area and residential amenities of neighbouring properties or raises any highway safety issues.

Overall Members considered the proposal accorded with adopted policies CS1, CS2, CS3, CS8 and Saved Policy H06 of the Stockton on Tees Local Plan.

RESOLVED that planning application 10/1628/COU be approved subject to the following conditions:-

1. The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

| Plan Reference Number | Date on Plan |
|-----------------------|--------------|
| SBC0001 | 22 June 2010 |
| LOC 1 SPT | 22 June 2010 |

2. 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 **1. Appeal - Mr & Mrs Birtle - The Meadows Thirsk Road Kirklevington -**
53/10 **09/2984/FUL - ALLOWED WITH CONDITIONS**

RESOLVED that the Appeals Decisions be noted.