

Planning Committee

A meeting of Planning Committee was held on Wednesday, 29th June, 2011.

Present: Cllr Robert Gibson (Chairman); Cllr Jim Beall, Cllr Mark Chatburn, Cllr David Coleman (Vice Councillor Mick Stoker), Cllr Gillian Corr, Cllr John Gardner, Cllr Mohammed Javed (Vice Councillor Michael Smith), Cllr Jean Kirby, Cllr Paul Kirton, Cllr Miss Tina Large (Vice Councillor Steve Walmsley), Cllr Alan Lewis, Cllr David Rose, Cllr Andrew Sherris and Cllr Norma Stephenson.

Officers: C Straughan, M Chicken, B Jackson, G Archer, S Grundy, J Roberts, R Poundford (DNS); J Grant, P K Bell, R Phillips (LD).

Also in attendance: Applicants, agents, Cllr Colin Leckonby, Cllr Mrs Jean O'Donnell, Cllr Smith and members of the public.

Apologies: Cllr Michael Smith, Cllr Mick Stoker and Cllr Steve Walmsley.

P 7/11 **Declarations of Interest**

Councillor Corr declared a personal non prejudicial interest in respect of agenda 5 - 11/0113/FUL - Land Parcel At 443990 514012, Blair Avenue, Ingleby Barwick

Development of 48 no. retirement apartments with associated communal facilities as she was a member of Ingleby Barwick Town Council who had made comment on the application.

Councillor Kirby declared a personal non prejudicial interest in respect of agenda 5 - 11/0113/FUL - Land Parcel At 443990 514012, Blair Avenue, Ingleby Barwick

Development of 48 no. retirement apartments with associated communal facilities as she was a member of Ingleby Barwick Town Council who had made comment on the application.

Councillor Sherris declared a personal non prejudicial interest in respect of agenda item 6 - 11/0913/ADV - 9 Healaugh Park, Yarm, TS15 9XN

Application for erection of 1 No. non internally - illuminated fascia sign and 1 No. non-illuminated post mounted directional sign as he had made comment on the application.

Councillor Large declared a personal non prejudicial interest in respect of agenda item 4 - 11/0988/LA - Former Redcar Road Neighbourhood Housing Office, Redcar Road, Thornaby - Conversion of estate office into children's home and erection of 1.8 metre timber fence as Councillor Walmsley had made comment on the application which had included a reference to Councillor Large. Councillor Large spoke on the application and then withdrew meeting and left the room.

Councillor Smith declared a personal non prejudicial interest in respect of agenda item 3 - 11/1280/LAF - Billingham House, Belasis Avenue, Billingham - Demolition of Billingham House and associated car parking structure as the agent for Python Properties had made reference to the company that Councillor Smith was employed by.

P 8/11 **11/1280/LAF Billingham House, Belasis Avenue, Billingham**

Demolition of Billingham House and associated car parking structure

Consideration was given to a report on planning application 11/1280/LAF - Billingham House, Belasis Avenue, Billingham - Demolition of Billingham House and associated car parking structure.

Planning permission was sought for the demolition of Billingham House and associated car parking structure situated at Belasis Avenue, Billingham.

The legislation regarding the requirement for planning permission for the demolition of buildings had effectively changed following a Court of Appeal ruling which meant that the demolition of all buildings would constitute "development" and therefore require planning permission or prior approval for demolition. Previously only the demolition of residential dwellings fell within the definition of "development". Now any factory, office, school, hospital or other commercial building would require planning permission, either express permission or deemed permission. Furthermore the ruling had clarified that demolition which may have a significant impact on the environment might also require an Environmental Impact Assessment (EIA) in its own right.

A request for a screening opinion was made by the Council to ascertain whether an EIA was required for the proposed demolition of Billingham House. Having carried out a screening assessment in accordance with the EIA Regulations the development was not considered EIA development.

The existing building and its curtilage had been disused for a number of years and had suffered vandalism and arson attacks. As a result the building and site presented a neglected and dilapidated appearance and condition seriously detrimental to the amenities of the area.

The application was accompanied by a method statement for the removal and disposal of asbestos containing materials from within the building and a demolition method statement. A Bat survey report had also been submitted in support of the application.

The Planning Officer's report considered that the principle of demolition was acceptable in the location with no sound planning reasons for the building to be retained. A method statement had been prepared for the removal and disposal of asbestos safely and without significant impact on the environment. The method statement for the demolition of the building included the treatment of waste, whether by disposal, recycling, crushing or backfilling the basement of the building. The method statement included dust suppression methods. These method statements indicated that the demolition would not have a significant effect on the environment. The demolition method statement made it clear that no waste would be left on site at completion of the demolition. The report considered that the demolition would not have any undue impact on ecological habitat and flooding. The associated highway activities were acceptable to the Head of Technical Services and it did not adversely impact on neighbouring properties and businesses and would comply with Health and Safety Executive requirements and it was considered that the development could be supported and the application was therefore recommended for approval subject to appropriate planning conditions to secure necessary controls over the

development.

With regard to the planning history the site had been subject to a number of planning applications:-

- * 6/00054/REF - Residential development of 128 no. dwelling houses together with associated car parking, means of access and landscaping (demolition of Billingham House and associated structures) withdrawn 16th January 2007
- * 00/1688/P – Outline application for the erection of 5 no. two storey office units including partial demolition of Billingham House to retain 30,000 sq ft of floorspace. Approved 29th April 2002
- * 97/0071/P – Change of use from offices to call centre. Approved 12th August 1998
- * 05/1186/RNW - Renewal of outline consent for the erection of 5 no. two storey office units including partial demolition of Billingham House to retain 30,000 sq ft of floorspace approved 29th June 2005
- * 05/3365/FUL - Residential development of 128 no. dwelling houses together with associated car parking, means of access and landscaping (demolition of Billingham House and associated structures). Refused 6th February 2006
- * 10/2862/LA - Erection of 2.4m high perimeter fence with 1 no. gated access. Approved 22nd December 2010.
- * 11/1032/SCO - Screening Opinion request for proposed demolition of Billingham House. EIA not required 9th May 2011.

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

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

With regard to 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 Plan was the Regional Spatial Strategy, Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP). A Ministerial Statement from Greg Clark and the relevant planning policies were included within the report.

The Planning Officer's report concluded that although there were proposals which had been put forward to retain/refurbish the building, the application to demolish the building followed years of discussion to seek to bring about the reuse of the building and remedy the eyesore. However no satisfactory progress had been made in the reuse of the building and the Council served a Notice which the owner failed to comply with and therefore the Council sought to demolish the building in default of the Notice. The issue of the likelihood of

refurbishment was to be determined by the High Court and even if planning permission was granted demolition could not take place until determination of the judicial review.

The Head of Regeneration and Economic Development was in attendance at the meeting and gave a history of the site since 1995. He also outlined some of the facts to aid understanding and for the benefit of some of those objectors who may not have had a full picture of the situation. In order to achieve the only guaranteed solution the Head of Regeneration and Economic Development outlined that the funds were in place to carry out the necessary work, the site was in the Council control under the Section 79 Notice and a demolition contractor was in place and ready to start subject to the outcome of the court decision on the judicial review and the necessary HSE notices.

The Head of Regeneration and Economic Development recognised that Python Properties was a successful locally based business and willing developer but the proposals they had submitted did not offer the same level of guarantee and were in fact speculative.

Also the Head of Regeneration and Economic Development outlined that one of the objections from Bizzy B pointed the Council towards and sought to consider a draft business case planned submission to the Tees Valley Industrial Programme. It identified a grant funding requirement of over £1m for Python Properties towards the refurbishment of the building. It was understood that the latest situation was that Python Properties now did not require a contribution to gap funding. A material change of funding requirement of this magnitude must be identified as a risk. The milestones identified in the plan showed an expectation of the development agreement to be signed by June 2010. This was not signed until 23rd November 2010. The Head of Regeneration and Economic Development outlined the risks and constraints identified on page 12 of the document. The two key local companies who were prospective tenants for this plan, were no longer in a position to take up space in the building. For these reasons, the application represented a totally different scenario to the situation at the present time. In summary the Head of Regeneration and Economic Development suggested that on balance, the only guarantee of a satisfactory and final solution to the longstanding problem was that of demolition and consequently supported the application.

Members were presented with an update report that detailed the further consultation responses that had been received since the writing of the main report.

A consultation response had been received was from Python Properties in which they advised that they had submitted a petition to the Council with a total of 1198 signatures. The petition had been prepared in direct response to the proposed demolition and the refurbishment of the building and the resultant job creation of up to 1000 jobs. A further consultation response was from Howson Developments who were objecting to the demolition on behalf of their clients Python properties. The update report detailed further consultation responses from local residents and local businesses both for and against the application and also correspondence from Bizzy B Management.

The update report highlighted that many of the comments received and the

issues raised had been addressed in the main report.

One of the issues was that demolition represented an unsustainable form of development and contrary to policy CS 3. The sustainability of a development was clearly material planning consideration which the main report had carefully considered and it was not accepted that the retention of the building outweighs the sound planning reasons put forward for its demolition.

With regard the comments that had been put forward that the demolition of Billingham House would represent a missed opportunity to provide up to one thousand jobs within Billingham and the wider Stockton area, the Head of Regeneration and Economic Development reported that the refurbishment of the building had not taken place during the extensive period of time since the owners purchased the site and there was no robust evidence to demonstrate that this situation would change in the foreseeable future. Furthermore demolition and clearance of the site would provide greater opportunities for an appropriate redevelopment scheme.

Reference had been made to the loss of an iconic building. However notwithstanding the current ruinous and dilapidated state of the building it was noted that the building was not Listed, nor was it on the list of buildings of Local interest.

Comments had been made on restrictions placed on any redevelopment proposal following demolition as a result of the site falling within the Health and Safety Consultation Zones. Whilst it was acknowledged that there were some restrictions in order to safeguard the Health and Safety of any future occupiers such restrictions would not preclude appropriate redevelopment of the site.

The site owner had made comments regarding the late submission of the Design and Access Statement and the period for consultation to respond within. Furthermore they asserted that the application was defective and had expressed concern about the impartiality of the Council's roles as applicant and Local Planning Authority. In response a Design and Access Statement had been submitted and consulted upon and the application was being considered by the Planning Committee and it would be following established protocol in determining the planning application.

Further representations had been received from the owners relating to the case for refurbishment which had originally been supported by the Council and the weight that should be given to the refurbishment and retention of the building. In the opinion of the Head of Regeneration and Economic Development, the Council was originally supportive of a scheme to refurbish and retain the building but this had proved unsuccessful following years of working with the owners to reach a solution for the site. It was considered that there was no practical alternative to demolition to ensure that the site can then be put to a beneficial use which would bring both economic and amenity benefits. Therefore in the opinion of the Head of Planning it was considered that whilst there may be a potential alternative proposal to refurbish the building as against demolition it had not been satisfactorily demonstrated that there was a high probability that it would take place and the existing adverse economic and visual impacts would remain. The amenity of the area is a significant factor in this application. Whilst alternative schemes could be a material planning

consideration it is not the role of the local planning authority to be the arbiter between two competing schemes. There were no significant material planning considerations for the retention of the building to warrant refusal of the application. Accordingly by demolishing the building it would address the visual impact and create conditions which would encourage and facilitate redevelopment of the site. The fact that the demolition was being funded by One North East the Regional Development Agency whose role is to create sustainable economic growth enabling local communities to fulfil their economic ambitions was a clear indication of the importance in demolishing the building, redeveloping the site and improving the local economy.

The owner had commented on the red line plan accompanying the application. In response the red line would enable the buildings to be demolished as identified in the application. Other comments had been made in respect to the application form and plans. In response the information submitted was considered to be satisfactory and no new access was proposed and there was an existing access. Demolition contractor works outside of the red edge benefit from permitted development rights.

The additional responses did not alter the recommendations of the main report.

Howson Developments Ltd, Python Properties, Bizzy B Management Ltd (Owners of Billingham House), Billingham Town Council, Local Residents, David Kitchen Associates Ltd, Councillor Mrs O'Donnell, Councillor Smith and Councillor Leckonby were in attendance at the meeting and were given the opportunity to make representation.

Councillor Mrs O'Donnell, Councillor Smith and a representative from Billingham Town Council spoke in favour of the application. David Kitchen Associates Ltd spoke against the application and outlined his queries to the application.

Python Properties and the representatives from Bizzy B Management Ltd reported that they felt the demolition of Billingham House would represent an unsustainable form of development would be contrary to Policy CS3 of the Core Strategy. Also the demolition would represent a missed opportunity to provide up to 1000 jobs and associated investment of £5M. Furthermore the demolition would result in the loss of an iconic building. They went on to add that if planning permission is not granted for the demolition the owners of the property had offered an agreement to the Council that if Python Properties did not carry out the renovation works within a six month period an approved contractor will carry out the demolition, with the funds to be placed by Bizzy B at the onset into an Escrow account and released independently of Bizzy B by solicitors controlling the account.

Members then discussed the application at length. Members considered that the principle of demolition was acceptable in the location with no sound planning reasons for the building to be retained. Members also considered that the demolition would not have any undue impact on ecological habitat and flooding. The associated highway activities were acceptable to Members and they felt it would not adversely impact on neighbouring properties and businesses.

Members asked further questions about the escrow account and job creation which were addressed by the agents present. Members noted the

redevelopment proposals but felt that there was insufficient justification to prefer redevelopment over demolition and supported the demolition of the eyesore which had stood for too long and a quick resolution should be sought. They were also mindful that there was sufficient supply of office space in Stockton Borough therefore the retention of Billingham House for office space was not a reason to refuse demolition.

A vote then took place and the application was approved.

RESOLVED that planning application 11/1280/LAF 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
01	24 May 2011

2. All demolition operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

3. 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.

4. All works shall be undertaken in accordance with the Method Statement for the removal and disposal of asbestos containing materials, unless otherwise agreed in writing with the Local Planning Authority.

5. Prior to commencement of demolition on site a Site Waste Management Plan including measures for the recycling of the waste shall be submitted and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition period.

6. All works shall be undertaken in accordance with the Method Statement for the demolition and site clearance of the former Billingham House Office Building, unless otherwise agreed in writing with the Local Planning Authority.

P **11/0988/LA**
9/11 **Former Redcar Road Neighbourhood Housing Office, Redcar Road,**
 Thornaby
 Conversion of estate office into children's home and erection of 1.8 metre
 timber fence

Consideration was given to a report on planning application 11/0988/LA - Former Redcar Road Neighbourhood Housing Office, Redcar Road, Thornaby - Conversion of estate office into children's home and erection of 1.8 metre timber

fence.

The application related to a disused and vacant former neighbourhood office situated in a residential area of Thornaby. The building stood on the corner of the residential streets Redcar Road and Ayton Road. The building was about the same size as a pair of semi-detached houses, and had similar appearance and materials to the surrounding predominantly terraced houses. The site was within a residential area and the settlement of Thornaby where in principle the conversion to a housing use can be considered.

The intention was that Stockton Borough Council would run the home with responsibility to a registered manager who was suitably qualified and experienced and agreed by OFSTED. There would be 2 staff on duty at all times and a member of staff sleeping over. The children would be those in care who had suffered significant harm and who could not return to their parents and who would stay on a long term basis. The age range would be 11 up to 18 but with no more than 3 years difference between the oldest and youngest and be both boys and girls.

The proposed conversion would see physical changes internally to create living spaces and bedrooms for up to 4 children and one adult supervisor. There would be a room within the home for education for children as needed. Externally some windows and a door would be closed up and a door created from a window and a new window added to the rear. The tarmac car park would be reduced to 2 spaces and the entrance closed up by brick walling except for a pedestrian gate. The physical changes would improve the appearance of the building and be sympathetic to its character and that of the surrounding housing estate.

Neighbours had been notified and in addition the Council had carried out separate public community involvement exercise by separate letters and a public meeting. 10 letters of objection had been received raising concerns based on anti-social behaviour, impact on regeneration of the area, house prices, noise pollution from vehicles, lack of consultation and lack of details, that it would be a private run home, that it is not social housing and impact on privacy. A petition with 113 signatories had been received which stated "We the undersigned are totally against the former housing office Redcar Road, Thornaby being converted into a children's home of any kind."

The changes to the building could be achieved without adverse impacts on the amenity and privacy of neighbours and that allow the proposed use as a home to function. At the same time its appearance would be improved without significantly alteration to its character.

Statutory consultees had responded to consultation. The Head of Technical Services Highway advice was that 3 car parking spaces were required. An amended plan was awaited showing this car parking provided on site. The Environmental Health officer had no objections subject to conditions on contamination and timing of construction works.

The proposal would not conflict with Government advice or planning policies and subject to conditions restricting construction hours, discovery of contamination and that it incorporates Secure by Design recommendations the

application was recommended for approval by the Planning Officer.

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

Neighbours had been 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). A Ministerial Statement from Greg Clark and the relevant planning policies were included within the report.

Members were presented with an update report that outlined that the applicant had submitted a further revised plan regarding car parking provision. The Head of Technical Services had confirmed that the details were acceptable and had no objection on Highway grounds.

Cleveland Police had sent an update to acknowledge that their initial response used an address that was a different type of children's home. In a true comparison Cleveland Police say that the instances of crime and missing children were far fewer.

A further representation of objection had been received on grounds of anti-social behaviour. This did not raise any new grounds for objection and related to anti-social behaviour which was previously reported in the main report. These further representations did not alter the recommendation that the application be approved conditionally.

In conclusion the update report outlined that the revised plan showing off road car parking provision increased to three spaces was acceptable in Highway safety and Landscape terms. The Head of Technical Services had confirmed that the details were acceptable and had no objection on Highway safety or Landscape grounds.

Cleveland Police had acknowledged that their representations did not compare the same sort of facility and a further objection on grounds of anti-social behaviour has previously been considered in the main report and did not alter the Planning Officer's recommendation.

Representatives from Village Park Residents Association and local residents were in attendance at the meeting and were given the opportunity to make representation. The main objections that were outlined were issues of anti social behaviour and these had been addressed in the main report. A representative from SBC - Children, Education and Social Care was in attendance at the meeting and outlined that the children in the home would have lots of structured activities including clubs and events and that hopefully the children of the home would not mix the local children that cause the anti social behaviour in the area. There would be lots of rules and boundaries for the children of the home to

adhere to. It was also reported that there was a low offending rate with children in Stockton Council care.

Members felt that although there was anti-social behaviour in the surrounding area the home would not have more than 4 children living in it and the children would have 24/7 supervision with rules and boundaries for the children. The changes to the building would allow the proposed use and improve its appearance without significantly altering its character. Members considered that the proposal would not have an adverse impact on highway safety and that the scheme would be in accordance with Core Strategy policies CS3, CS8 and CS10 and Stockton on Tees Local Plan Saved Policies EN4, EN7, EN13 and HO1, HO3. Members considered that the proposal was in accordance with the provisions of the Development Plan.

A vote then took place and the application was agreed.

RESOLVED that planning application 11/0988/LA be Approved with Conditions subject to:-

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
ARC1186.0381.03	26 April 2011
ARC1186.0381.01	26 April 2011
ARC1186.0381.02 REV A	26 April 2011
ARC1186.0381.04	26 April 2011
ARC1186.0381.05 REV B	17 June 2011

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

3. 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.

**P
10/11**

**11/0113/FUL
Land Parcel At 443990 514012, Blair Avenue, Ingleby Barwick
Development of 48 no. retirement apartments with associated communal
facilities**

Consideration was given to a report on planning application 11/0113/FUL - Land Parcel At 443990 514012, Blair Avenue, Ingleby Barwick - Development of 48 no. retirement apartments with associated communal facilities.

The full planning application sought the erection of a 48 apartment, 2 storey

building with associated access, car parking, gardens and landscaping and also a public community park on an overall site area of approximately 1.76 hectares. The main planning considerations related to primarily to planning policy implications; the visual impact including the loss of Green Corridor; traffic and highway safety and other material considerations.

The land was within the overall settlement boundary for the settlement of Ingleby Barwick but not within any of the Village areas as defined by versions of the Master Plan and agreed by Members. The land not previously developed having been left vacant since its last agricultural use except for it having been planted up with trees some 20 years ago. Although the Ingleby Barwick Master Plan as revised in 1991 was not formally adopted it had been used by the authority as the Master Planning document for the allocation of land and determining of planning applications for housing and other developments in Ingleby Barwick and could therefore be given some weight in considering this current application.

There had been previous planning applications for development on this application site which were either refused or withdrawn prior to determination. Therefore there was no established principle from previous consents by the authority or won on appeal that this land was acceptable to be developed. This was different to the adjoining Roseville Care Centre site where there had been a history of planning approvals dating from the granting of approval under reference No.03/2212/OUT for outline application for the erection of a community centre and children's day nursery and associated car parking. That site only included the land occupied by the Roseville Care Centre development.

There were objections from the Spatial Plans Manager that the application was contrary to Core Strategy policy CS10 as the land was identified in the 1991 Master Plan as part of the local open space system and the proposal did not maintain the quality of the urban environment, or protect and enhance the openness and amenity value of urban open space. The Head of Technical Services had also objected on Landscape and Visual grounds as it eroded the integrity of the green corridor designation in the Open Space Audit known as The Blair Avenue Green Corridor.

The application had been publicised by means of site notice, local press and individual neighbour notification letters. Thirty three letters of representation objecting to the development had been received, although one partly supported the application as well. Ingleby Barwick Town Council objected to the application. The primary objections were the principle of and need for development at this location; that it would set a precedent for development on all the site area; highway safety including traffic generation, access and numbers of parking spaces; the impact on the appearance and character of the area in terms of scale and design; residential amenity and privacy including the amount of amenity/garden space; the lack of refuse and recycling storage; enforcement issues; and other material and non-material planning concerns.

The Head of Technical Services Highway advice was the proposal was acceptable in highway terms. The number of car parking spaces had been increased from the original submission to 56 with 6 of those spaces being designated for disabled users, which was acceptable for this development.

The Planning Officer's report considered that the proposed development was contrary to Core Strategy policy CS10 as the proposed development would not maintain the separation between village settlement areas of Ingleby Barwick and would not protect or enhance the openness and amenity value of urban open space.

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

Neighbours had been 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 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). A Ministerial Statement from Greg Clark and the relevant planning policies were included within the report.

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

The agent was in attendance at the meeting and was given the opportunity to make representation. The agent outlined that the Master Plan could be departed from and that specialist housing was needed in Ingleby Barwick. The agent also reported that the land was allocated as white land and therefore could be used for another use. The agent also reported that the Planning Officers report failed to mention that government advice had outlined that the location was sustainable.

Members felt that the proposed development would be contrary to the Ingleby Barwick Master Plan which was the relevant master planning document for Ingleby Barwick and identified the site as part of the local open space system for maintaining the separation of the Villages and as the proposed development would not maintain the separation between village settlement areas of Ingleby Barwick and would not protect or enhance the openness and amenity value of urban open space it would therefore be detrimental to the quality of the urban environment contrary to Policy CS10 of the Adopted Core Strategy.

A vote then took place and the application was refused.

RESOLVED that planning application 11/0113/FUL be refused for the following reason:-

1. In the opinion of the Local Planning Authority the proposed development would be contrary to the Ingleby Barwick Master Plan which is the relevant master planning document for Ingleby Barwick and identified the site as part of the local open space system for maintaining the separation of the Villages and as the proposed development would not maintain the separation between village settlement areas of Ingleby Barwick and would not protect or enhance the openness and amenity value of urban open space it would therefore be

detrimental to the quality of the urban environment contrary to Policy CS10 of the Adopted Core Strategy.

P 11/0913/ADV
11/11 9 Healaugh Park, Yarm, TS15 9XN
Application for erection of 1 No. non internally-illuminated fascia sign and 1 No. non-illuminated post mounted directional sign.

Consideration was given to a report on planning application 11/0913/ADV - 9 Healaugh Park, Yarm, TS15 9XN - Application for erection of 1 No. non internally-illuminated fascia sign and 1 No. non-illuminated post mounted directional sign.

Advertisement Consent was sought for the erection two signs at the Aldi Store in Yarm, originally one sign was to be internally illuminated however both signs would now to be non illuminated.

One sign would be located on the rear of the new extension and the other located at the entrance of Healaugh Park.

There were 9 objections to the original application, including an objection from the Ward Councillor one from Yarm Residents Group, Yarm Town Council.

There had been 1 objection to the revised proposal.

The proposed development had been carefully assessed and the proposal accorded with the relevant policies, and was considered to be acceptable by the Planning Officer subject to conditions.

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

One objection had been received to the revised application and this was summarised within the report.

With regard to 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 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 agent was in attendance at the meeting was available to answer any questions.

Councillor Sherris stated that he felt in the past the applicant had not communicated very well with the surrounding residents. Councillor Sherris then withdrew from the meeting and left the room as he had declared a personal non prejudicial interest in respect of the item.

Overall Members considered that the proposed signage was acceptable subject to the relevant conditions.

RESOLVED that planning application 11/0913/ADV 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
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0134-AC(37)001	18 April 2011
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0134-AC(37)002	18 April 2011
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0134-AC(37)003	18 April 2011
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Email	26 May 2011
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2. Notwithstanding the submitted plans the signs shall be non-illuminated in accordance with the agent's Email dated 26th May 2011.

P
12/11

11/0136/FUL

The Rookery, South View, Eaglescliffe

Demolition of existing property and construction of 3 no. detached houses with detached double garages

Consideration was given to a report on planning application 11/0136/FUL - The Rookery, South View, Eaglescliffe - Demolition of existing property and construction of 3 no. detached houses with detached double garages.

The application site had been subject to several planning applications for residential development, more recently a revised application (06/3591/FUL), for the extension and conversion of the existing house into 8 no apartments and the construction of a new building to form 5 no. apartments was approved in January 2007. However, following a structural survey of the property, a further application (07/3441/FUL) was submitted in order to allow for the demolition of The Rookery and construction of 13 no. apartments in two blocks as detailed in planning approval 06/3591/FUL.

Given the economic climate planning permission was sought for the demolition of the existing property and construction of 3 no. detached houses with detached double garages. Two of the proposed plots were situated close together in order to try and replicate the presence of a large dwelling on the site, particularly from distance views. Each property was split over three floors and had the benefit of a basement.

The Planning Officers report considered that although the proposed development would result in the loss of the original fabric of the building, the replacement dwellings would reflect the architectural style of the existing property. The scale, massing and design of the scheme were judged to be visually acceptable and would preserve the character of the conservation area. The proposal was also not considered to have a detrimental impact on the privacy or amenity of the neighbouring properties or highway safety. The development was therefore considered acceptable and in line with the relevant

planning policies set out within the report.

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

Neighbours had been 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 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 report highlighted a Ministerial Statement from Greg Clark and detailed the planning policies that were considered to be relevant to the consideration of the application.

The Planning Officer's report concluded that although the proposed development would result in the loss of the historic fabric of the building, the replacement dwellings would reflect the architectural style of the existing property. The scale, massing and design of the scheme was judged to be visually acceptable and would preserve the character of the conservation area. The proposal was also not considered to have a detrimental impact on the privacy or amenity of the neighbouring properties or highway safety.

On balance the development was therefore considered acceptable by the Planning Officer and was viewed to be in accordance with the relevant planning policies set out within the report and was subsequently recommended for approval subject to the completion of a legal agreement for a contribution towards open space provision and the receipt of an amended plan.

Members were presented with an update report that outlined that since the original report further comments had been received from the Head of Technical Services, these were set out within the report along with the additional material planning considerations.

The Head of Technical Services additional highways comments were that having reviewed the original highway comments made regarding the application for the Rookery it was not appreciated that the original scheme was being put forward again as the final solution. As a result the Head of Technical Services wished to change comments and objected to the proposal as his view was that the loss of any on street car parking in the area could adversely affect the neighbouring properties. The proposal indicated a further driveway that would be introduced and the displaced car parking could not be accommodated in the area. The Head of Technical Services would not wish for any on street parking to be displaced onto the residential roads off South View as the residential road serving properties 1A to 1D South View did not have a footway and only served a few dwellings. The Crescent (off South View) had a sub-standard turning head and further on street parking in this area was discouraged.

Discussions had taken place with the applicant's architect over the comments and the potential to find an alternative arrangement with a shared drive for plots 1 and 3. However, given the positioning of the properties it was considered extremely difficult to achieve this with the turning facilities required.

The update report concluded that given South View was a public highway for which there was no control over who parks along it or no right by any particular person to park there, it was not considered that there were sufficient reasons on planning grounds to refuse the application and it was considered a refusal on this basis would be difficult to sustain at appeal. Other options available to the Highway Authority such as residential permits could also be considered to restrict parking from "non-residents" of South View and Headlam Terrace.

The agent was in attendance at the meeting and spoke in favour of the application. The agent outlined that he had had detailed discussions with Planning Officers since February 2009 and at no point had any concerns been raised on highways grounds. The agent reported that he had made visits to the application site to carry out a survey of the parking. The agent gave the results of the survey that he had carried out and felt that there did not appear to be any problems with parking.

Members felt that the scheme would result in the loss of the historic fabric of the building but as the structural survey had indicated the building needed to be demolished the replacement dwellings would reflect the architectural style of the existing property. Members agreed with the Planning Officer that the scale, massing and design of the scheme was visually acceptable and would preserve the character of the conservation area. With regard to highway concerns Members felt that the proposal was also not considered to have a detrimental impact on the privacy or amenity of the neighbouring properties or highway safety.

A vote then took place and the application was agreed.

RESOLVED that planning application 11/0136/FUL be approved subject to Section 106 agreement and the conditions set out below:-

Approved Plans;

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
21109/1/1	20 January 2011
2109/1/2C	1 February 2011
2109/1/3C	1 February 2011
2109/1/4A	1 February 2011
2109/1/5A	20 January 2011
2109/1/6	11 May 2011

2. 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. The development

shall be carried out in accordance with these agreed details.

3. Notwithstanding the submitted information provided in this application details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority

4. 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.

5. Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings and street furniture).

6. 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 occupied. 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.

7. 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.

8. No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 8.30 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays).

9. No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved Written Scheme of Investigation and the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

10. A detailed description of the steps and works to be taken and carried out under this consent shall be submitted to the Local Planning Authority before any work of demolition is begun until the said Authority has signified in writing its approval to the proposed steps and works. Such a scheme shall involve a timetable of works for demolition and completion of the development in accordance with the approved plans detailing that commencement of the redevelopment of the site shall begin within 3 months of the demolition of the existing building. The agreed timetable for demolition and completion of development shall be adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

11. 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.

12. Details of a scheme in accordance with BS5837, 2005 to protect the existing trees and vegetation shall be provided to the satisfaction of the Local Planning Authority. Such a scheme shall include details of; materials storage; location of underground services; location of site signage; and details of a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy. The development shall be carried out in full accordance with the agreed scheme, unless otherwise first agreed in writing with the Local Planning Authority

13. Visibility splays of 2.4m x 43m shall be provided at each access in accordance with a scheme to be agreed with the Local Planning Authority prior to the commencement of development. The development shall be implemented in accordance with the agreed scheme and the approved splays shall be maintained for the life of the development.

14. Prior to works commencing on site a scheme for traffic management during demolition and construction, including a temporary car park for construction traffic and workers shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use prior to commencement of any development.

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Core Strategy Review

Consideration was given to a report that outlined that the Core Strategy DPD adopted in March 2010 was the key document in the Local Development Framework (LDF). It provided the strategic planning policies for the Borough.

As a result of the current economic situation, malaise in the development industry and uncertainties in higher level planning and central government's funding policy, a review of the housing element of the Adopted Core Strategy was necessary, and the detail of that Review and Issues and Options arising for consideration were to be found in the Core Strategy Development Plan Document (DPD) Review Issues and Options Document (the DPD Review Document).

The report summarised the main detail of the DPD Review Document, and noted that a Habitats Regulations Assessment of Core Strategy Review Issues and Options and Sustainability Appraisal of Core Strategy Issues and Options would accompany the Review Document. The report sought consideration and approval of those documents for consultation, delegation of authority to officers to make minor changes to those documents prior to consultation and advised of the next steps towards Preferred Options and submission for independent examination. The DPD Review Document was attached to the report. The Habitats Regulations Assessment of Core Strategy Review Issues and Options and Sustainability Appraisal of the Core Strategy Issues and Options were substantial documents and had therefore been made available for inspection in the Member's Library.

Furthermore, it advised that the Sustainability Appraisal Scoping Report of the Core Strategy Review was prepared earlier this year and consulted upon in March 2010. This document had informed the Sustainability Appraisal of the Core Strategy Issues and Options, and required adoption by the Council; the report also sought Member's agreement to adopt the Sustainability Appraisal Scoping Report. This was also a substantial document and a copy had been made available in the Member's Library.

It was noted that although comments were invited on the documents, under the powers delegated to the Head of Planning by Council on 29th June 2011, only minor amendments could be made to the Core Strategy Review Issues and Options and supporting documents at this time. However, there were further opportunities to make substantive comments and observations during the consultation period in July, August and September 2011.

RESOLVED that:-

1. The contents of the report be noted.
2. Any comments be received on the Core Strategy Development Plan Document Review Issues and Options Document, Habitats Regulations Assessment of Core Strategy Review Issues and Options and Sustainability Appraisal of the Core Strategy Review Issues and Options for consultation.

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- 1. Appeal - Mr John Hellens - Land south of High Farm House Carlton - 10/1602/REV - DISMISSED and APPLICATION FOR COSTS REFUSED**
- 2. Appeal - Mr Jonathan Ford - 1 Winter Close Yarm - 10/3002/FUL - DISMISSED**
- 3. Appeal - Mr Imtiaz Shazid - Rear of 74 - 76 Dovecot Street Stockton - 10/0108/COU - DISMISSED**

RESOLVED that the appeals be noted.