

Planning Committee

A meeting of Planning Committee was held on Wednesday, 2nd November, 2011.

Present: Cllr Robert Gibson (Chair); Cllr Jim Beall, Cllr Mark Chatburn, Cllr Gillian Corr, Cllr John Gardner, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Mrs Jean O'Donnell (Vice Cllr David Rose), Cllr Andrew Sherris, Cllr Michael Smith, Cllr Norma Stephenson and Cllr Dave Wilburn (Vice Cllr Mick Stoker).

Officers: C Straughan, B Jackson, H Smith, P Shovlin (DNS); J Butcher and P K Bell (LD).

Also in attendance: Applicant and members of the public.

Apologies: Cllr David Rose, Cllr Mick Stoker and Cllr Steve Walmsley.

P **Declarations of Interest**

34/11

There were no interests declared.

P **Minutes**

35/11

The minutes of the meetings held on 10th August 2011, 31st August 2011 and 21st September 2011 were signed by the Chair as a correct record.

P **Minutes**

36/11

The minutes of the meeting held on 12th October 2011 were confirmed and signed by the Chair as a correct record.

P **11/2168/COU**

37/11

**26 and 28 Northcote Street, Stockton-on-Tees,
Application for change of use of 26 and 28 Northcote Street from glazing
retail and warehouse to A1 retail unit (including replacement of shop front)**

Consideration was given to a report on the change of use of 26-28 Northcote Street from a glazier's warehouse, with an ancillary retail element, to a general dealer (A1 retail use). Ten objections largely relating to the need of the proposal, parking and highway safety had been received. One further letter of concerns regarding the accuracy of the submitted information had been received. To support the application a petition had been submitted by the applicant.

The application site was located outside any of the defined retailing centres. A previous application for change of use to allow approximately 280 squared metres of A1 retail floor space at 26 - 30 Northcote Street was refused on the grounds that the applicant had failed to demonstrate that there were no suitable units available within the defined centres and had not provided acceptable justification for the development being located out of centre. Therefore the proposal was considered inappropriate as it would adversely impact upon the vitality and viability of the existing defined retail centres contrary to policy S15 of the Stockton on Tees Local Plan Alteration Number one.

This application reduced the size of the application site (removing number 30 Northcote Street from the application) and the applicant had agreed to enter into

a legal agreement to ensure that the shop at 36 Northcote Street ceased trading and would be returned to a residential use (subject to a change of use application) before this application if approved could be implemented. As there was an existing ancillary retail element at the application site and taking into account that the existing shop (No. 36) would be returned to a residential use the Planning Officer considered that the size of the proposal had been significantly reduced so that it would not adversely impact upon the vitality and viability of the existing defined retail centres. The proposal was considered to be in accordance with policy S15 of Alteration Number one to the Local Plan.

Taking into account the existing commercial use of the application site, the Head of Technical Services raised no objections to the proposal in terms of highway safety.

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

With regard to publicity neighbours had been notified and the comments that had been received were 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 saved policies of the Stockton on Tees Local Plan (STLP)

The planning policy that was considered to be relevant to the consideration of the application was detailed within the report.

The applicant, supporters and objectors were in attendance at the meeting and were given the opportunity to make representation.

Members felt that the proposed change of use would not result in a detrimental impact upon the vitality and viability of the nearby Local defined retail centres, the amenity of neighbouring properties, the character of the surrounding area or highway safety. The proposal accorded with policy S15 of Alteration Number one to the Local Plan and was therefore considered to be acceptable subject to the completion of the Section 106 Agreement.

RESOLVED that application 11/2168/COU be approved subject to the applicant entering into a Section 106 agreement in accordance with the Heads of Terms below and the following conditions and informative:-

HEADS OF TERMS

1. The Owners covenant with the Council not to commence the Development of the Site until a planning permission for the change of use of 36 Northcote Street to residential use has been implemented and substantially completed.
2. The Second Owner covenants with the Council that prior to the Commencement of Development of the Site in accordance with the Permission

an application for the change of use of 36 Northcote Street to a residential dwelling shall be submitted for approval and substantially completed.

3. The Second Owner further covenants with the Council that following the Commencement of Development of the Site 36 Northcote Street shall not be used other than as a residential dwelling.

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	12 September 2011
1	12 September 2011
1A	12 September 2011

2. The use hereby approved shall not operate outside the hours of 09:00 and 21:00 Monday to Thursday, 09:00 and 18:00 Friday and Saturday and 09:00 and 12 Noon on Sundays and bank holidays.

3. All construction 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.

INFORMATIVE

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as it will not adversely impact upon the vitality and viability of the existing defined retail centres, it is in keeping with character of the area and will not lead to any significant loss of amenity for the residents of the neighbouring properties or any significant impact upon highway safety and there are no other material considerations which indicate a decision should be otherwise.

Stockton on Tees Local Plan
S15 Small Scale Shopping Outside Retail Centres

SPD3: Parking Provision for New Developments

P
38/11

PLANNING PERFORMANCE

Consideration was given to a report on the performance of the Planning Department for the second quarter of 2011/2012.

DCLG had published a draft version of the Single Data List (SDL), which was intended to replace the previous performance management systems – National Indicators, etc. The SDL was a basic catalogue of all the data collections (existing and proposed) that central government departments required from local authorities. There were 152 separate data collection topics within this Single Data List, with 64 of these relating directly to Development and

Neighbourhood Services. The large majority of these data collections were already undertaken within services, with only a small number of new data collections proposed.

Within the SDL, the data collections that would be required from Planning remained much the same as reported already, and revolved around the performance of managing planning applications, enforcement, green belt land data, previously developed land data and the Annual Monitoring Report for the LDF. There would be 5 data collections and then 41 data topics within the 5 broad collection areas.

It was therefore proposed to continue reporting performance to Committee in 2011/12 along the lines that was done already, as CLG had indicated that they wished this particular reporting criteria to remain. The performance level for this year therefore remained at the same level as that set for 2010/11, which was 75% for majors, 80% for minors and 88% for other applications.

The reporting timeframe runs from 1st April - 31st March each year. The report presented the performance of the second quarter in that period, 1st July - 30th September 2011.

Performance results achieved for the second period were 81.82% for major applications, 92.11% for minor and 94.34% for others, achieving above performance in all 3 categories. A table and the chart that highlighted performance over this quarter was detailed within the report.

9 out of 11 major applications were determined within the 13 week target. Application 10/3118/FUL was for residential development of 192 dwelling units at Mandale phase 3 and was delayed due to the number of amendments and substantial changes made through the course of the application. The proposal was part of a major housing regeneration scheme under way and it was imperative that the scheme be kept going throughout the process to keep development moving on site so withdrawal was not an option. Application 11/0359/EIS was for Air Products for the erection of a 49kw renewable energy facility employing plasma gasification technology at the Reclamation Bond, Billingham. An Appropriate Assessment was required which meant the involvement of Natural England and subsequent submission of further information to satisfy them.

As previously reported to Members, a review of the staffing structure throughout the whole of Planning Services had been undertaken, culminating in a meeting with all staff on 13th October 2011. The restructure would lead to the loss of 6 full time posts, and the reduction from full time to half time for 2 other posts, affecting 8 staff out of a total of 44. The existing and proposed structures were attached to the report. The posts to be deleted from the establishment were 1 x Senior Planning Officer, 1 x Planning Officer, 2 x Technicians, 1 x Principal Building Control Surveyor, 1 x Technical Support Assistant, and the Land Search Assistant and one of the Principal Planning Officer posts in Spatial Planning would be reduced to half a post each.

Members noted the performance report and acknowledged the hard work and dedication of Planning Staff and colleagues within other service areas to continuously improve performance and the reputation of the Council against the

background of the current difficult economic circumstances and staff restructure.

RESOLVED that the report be noted.

P
39/11 **Local Development Framework Steering Group Minutes**

The minutes from the Local Development Framework Steering Group held on 12th September 2011 were noted.

P
40/11 **1. Costs Decision for planning appeal - 10/2641/FUL - 1 Chedworth Court - REFUSED NO COSTS AWARDED.**

RESOLVED that the appeals be noted.