

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 23rd November, 2011.

**Present:** Cllr Robert Gibson (Chairman), Cllr Mark Chatburn, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr John Gardner, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ken Lupton (vice Councillor Sherris), Cllr David Rose, Cllr Michael Smith, Cllr Norma Stephenson, Cllr Mick Stoker

**Officers:** K Campbell, M Clifford, B Jackson, P Shovlin, Ms C Straughan, M Whaler (DNS) Miss J Butcher, Mrs T Harrison (LD)

**Also in attendance:** Agent and members of the public.

**Apologies:** Cllr Jim Beall and Cllr Andrew Sherris.

### **P       Declarations of Interest**

**41/11**

There were no declarations of interest.

### **P       Minutes**

**42/11**

The minutes of the meeting held on 2nd November 2011 were signed by the Chair as a correct record.

### **P       11/0650/FUL**

**43/11**

**373 Thornaby Road, Thornaby,  
Change of use from class A1 to class A5 with external alterations**

Members considered a report for change of use on the application site from a vacant A1 unit to a hot food take-away which was an A5 use under the Town and Country Planning (Use Classes) Order as amended.

In 2009 an application for the change of use to a hot food take away in relation to the application site was refused on the grounds that it would be detrimental to the amenity of neighbouring properties. Eleven objections had been received from neighbouring residents with a further objection being received from the Village Park Residents association. These were largely on the ground of limited parking, impact upon the amenity of neighbouring properties, in terms of fumes, noise, litter and anti-social behaviour, and sufficient take aways being located within the area.

To address the concerns relating to noise and disturbance a condition had been recommended to limit the hours of opening to prevent noise and disturbance beyond that which could occur as part of the retail unit adjacent. Therefore it was considered that satisfactory levels of residential amenity could be preserved.

The applicant had provided marketing evidence, to prove the property had been actively marketed for over 5 years, along with a sequential test to support the application and it was not considered that the retention of a vacant unit would positively contribute to the vitality and viability of the surrounding area. As such, on balance, the proposal was considered to be acceptable in terms of planning policy. Furthermore the Head of Technical Services raised no

objections in terms of highway safety.

In light of this the proposal was considered to be acceptable subject to the imposition of relevant conditions relating to hours of operation, grease trap and fume extraction.

A Ward Councillor had submitted his objection to the application due to the fact that there was a very real potential for traffic problems, the very real risk of litter and anti-social behaviour, the fact that there was already three hot food takeaways in the local vicinity and the fact that the short frontage was becoming display board city.

Objectors spoke against the application raising the following concerns:

- Parking causing obstructions across people drives
- A member of staff at the neighbouring shop already had to park their car on the curb due to insufficient parking facilities.
- Litter.
- Would become a commercial area rather than purely residential.
- There were plenty of take-aways in the area who provided free delivery.
- Congregation of youth.
- Could increase the chance of fatalities.

The agent made no comment.

Members made the following comments:

- Access and parking would be an issue.
- If the site was not viable for retail it should not be viable for take-aways.
- Any take-away not allowed to remain open after 9.30pm would not predominantly be used by adults but children and would increase the possibility of litter.
- Approval would go against the recommendation from the Police.
- Could attract anti-social behaviour.
- Traffic would increase whatever went into the vacant unit.

Members received clarification of the sequential arrangement.

Highways officers advised that following an assessment it was deemed that there were no highways issues and there was sufficient parking.

Highways Officers advised that action could be taken against people parking across resident's drives; however there had been no reports of incidents by residents. Officers would investigate staff having to park on the curb.

RESOLVED that Planning Application 11/0650/FUL be refused for the following reasons:

1. In the opinion of the Local Planning Authority the proposed takeaway would have an unacceptable impact on the neighbouring residential area by reason of noise disturbance, anti-social behaviour and litter making the area a less pleasant place in which to live contrary to Saved Local Plan Policy S14 ii) of Alteration Number 1.

2. In the opinion of the Local Planning Authority the proposed takeaway would generate unacceptable levels of traffic generation to the detriment of highway safety contrary to Saved Local Plan Policy S14 i) of Alteration Number 1.

**P**            **11/2420/REV**  
**44/11**      **6 Spitalfields, Yarm,**  
**Revised application for two storey extension to the side, single storey**  
**extension to rear with chimney and canopy to front (Part retrospective)**

This item was withdrawn prior to the start of the meeting so was not presented.

**P**            **Local Development Framework: Annual Monitoring Report**  
**45/11**

Consideration was given to the report which informed Members of the completion of the Local Development Framework Annual Monitoring Report (AMR) for 2010/2011, prior to it being submitted to the Secretary of State before the end of December 2011. The AMR contained information about how the Council had performed against its Local Development Scheme and assessed progress against the Local Development Framework's objectives using locally specific targets and indicators.

It was noted that the AMR would no longer go before Planning Committee as it would become a local authority report.

RESOLVED that the report be noted.

**P**            **5 year Deliverable Housing Supply Interim Assessment 2011 - 2016**  
**46/11**

Consideration was given to the report which advised that Policy 7 (CS7) of the adopted Core Strategy stated that the distribution and phasing of housing delivery to meet the Borough's housing needs would be managed through the release of land consistent with the maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing (PPS3). The report sets out the Borough's housing land supply position in respect of this requirement as at the 1st April 2011 (this was a standard base date for housing monitoring exercises).

Consideration was given to the possible implications of the requirement in the Draft National Planning Policy Framework (NPPF) that the 5-year supply of deliverable housing sites 'should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land'.

Members were provided with an additional report which set out how the 5 year deliverable housing supply had been undertaken for the Borough of Stockton-on-Tees.

The period covered by the assessment was from 1st April 2011 to 31st March 2016 and the assessment had been undertaken using a 3-stage process set out in the Department for Communities and Local Government (CLG) guidance. The stages were as follows:

Stage 1: Identify the level of housing provision to be delivered over the following

5 years

-The CLG guidance stated that housing provision figures in adopted Development Plans should be adjusted to reflect the level of housing that had already been delivered. The previous 5 year period was 1st April 2004 to 31st March 2011. The housing requirement for this period was 4200 dwellings. The number of dwellings built during this period was 3933. This was a shortfall of 276 dwellings.

-The requirement for the period 1st April 2011 to 31st March 2016 in the adopted Core strategy was 2650 dwellings. The 5 year deliverable housing supply requirement therefore was 2917 dwellings (Core Strategy requirement of 2650 dwellings + shortfall carried forward of 276 dwellings).

Stage 2: Identify sites that had potential to deliver housing over the five year period

-Local Plan allocations that had not been built out and did not have planning permission

-Planning permissions

-Specific, unallocated brownfield sites that had the potential to make a significant contribution to housing delivery during the 5 year period

Stage 3: Assess the deliverability of the identified potential sites

-This stage ran in parallel with Stage 2 and used a framework of suitability, availability and achievability to assess whether the sites identified were deliverable within 5 years.

– The assessment found that the Borough of Stockton-on-Tees had an overall amount of identifiable and deliverable housing land supply for 2932 dwellings (net) over the next five years.

– That was 15 dwellings more than the requirement of 2917 dwellings. This equated to a housing land supply of 5.0 years.

– The assessment concluded that the Borough could demonstrate a five year deliverable supply of housing.

A planning application had been submitted for 850 dwellings at Allens West. The site currently had planning permission for 500 dwellings. Discussion took place regarding whether the new planning application would, if approved, impact on the 5-year deliverable housing supply. The officer advised that this would be assessed as part of the next update of the 5-year deliverable housing supply.

RESOLVED that the report be noted.

**P  
47/11**      **Local Development Framework Steering Group Minutes.**

Consideration was given to the minutes of the Local Development Framework Steering Group minutes

RESOLVED that the minutes be noted.

- P  
48/11**
- 1. Appeal - Mr A French - 1 Vane Court Long Newton - 11/0962/COU - ALLOWED WITH CONDITIONS**
  - 2. Appeal - Mr A Wahid - The Newsagents 55 The Green Billingham - 10/3027/FUL - DISMISSED AND APPLICATION FOR COSTS REFUSED**
  - 3. Appeal - Mr C Pearson - Ingleby Hill Farm House Ingleby Barwick -**

**11/0967/FUL - DISMISSED**

**4. Appeal - Mr John Matthews - 85 Junction Road Norton - 11/0115/FUL -  
ALLOWED WITH CONDITIONS**

**5. Appeal - Former Grange Performance Car Sales Showroom (Furniture  
Outlet Stores) Portrack Lane Stockton - 11/0912/FUL - DISMISSED**

RESOLVED that the appeals be noted.