

Planning Committee

A meeting of Planning Committee was held on Wednesday, 18th January, 2012.

Present: Cllr Robert Gibson (Chair); Cllr Jim Beall, Cllr Mark Chatburn, Cllr Gillian Corr, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ken Lupton (Vice Cllr John Gardener), Cllr David Rose, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Norma Stephenson and Cllr Mick Stoker.

Officers: J Hutchcraft, S Grundy, B Jackson, P Shovlin, C Straughan, (DNS) J Butcher, P K Bell (LD)

Also in attendance: Members of the public.

Apologies: Cllr John Gardner and Cllr Steve Walmsley.

P **Declarations of Interest**

53/11

There were no interests declared.

P **Minutes**

54/11

The minutes of the meeting held on 23rd November 2011 were confirmed and signed by the Chair as a correct record.

P **Minutes**

55/11

The minutes of the meeting held on 7th December 2011 were confirmed and signed by the Chair as a correct record.

P **11/2989/FUL**

56/11

**Plot 1 (5 Wainstones Court), Former 18 Leven Road Site, Yarm
Construction of 1 no. detached house**

Consideration was given to a report on planning application 11/2989/FUL - Plot 1 (5 Wainstones Court) Former 18 Leven Road, Yarm - Construction of 1 no. detached house.

The site was that of the former large residential property Wainstones. The property had since been demolished and had been developed for 5 separate plots, three of which had been constructed towards the rear of the site. At present the property on Plot 2 was largely complete (adjacent to No. 20) Leven Road, whilst construction was on going on Plot 1.

Planning permission was sought for the erection of a detached dwelling. The application sought changes to the previously approved development and at the time of the officer's site visit the changes to the scheme had already been carried out. The main bulk of the property and its design largely remained the same though external changes had been made, most notably these included the relocation of the chimney. Revised plans had also been received which showed amendments to the boundary treatment.

Whilst several objections had been received, it was considered that the proposed development remained visually acceptable and would not have a

significant impact on the neighbouring properties amenity or poses any significant highway safety risk so as to justify a refusal of the application. The proposed development was therefore considered to be in accordance with policies CS2, CS3 and CS11 of the Core Strategy and Policy HO3 of the adopted Stockton on Tees Local Plan.

With regard to the background to the site a previous application (05/0990/FUL) for residential development comprising of 1 No. Apartment block, containing 12 units, and 4 No. detached dwellings with associated garaging was withdrawn. A revised scheme (05/2866/OUT), which sought outline planning consent for 7 no. Dwellings, was submitted in October 2005 and sought to try and overcome some of the previous issues raised. However, the application was refused on grounds of the impact on highway safety, impact on the neighbouring occupiers; level of amenity; cramped form of development and impact on the character of the area. This application was also dismissed by the Planning Inspectorate although not all the reasons for refusal were upheld.

A further application (07/2442/FUL) for the erection of 5 no. detached dwellings was also refused by Planning Committee due to the impact on the character and appearance of Leven Road, the amenities of the occupiers of nearby properties and the development not being in keeping with its surroundings. The appeal for this application was dismissed (ref; APP/H0738/A/07/2057838) due to concerns over the relationship between plot 2 and No. 20 Leven Road.

A revised application for the erection of 5 no. dwellinghouses and associated access (08/0823/REV) aimed to address the issues in terms of the impacts on the occupiers of No. 20 Leven road and was subsequently approved by the Planning Committee.

It was proposed that the main dimensions of the dwelling would remain the same, at the previously agreed dimensions of 18.8m in length, 18.1 in width, with a ridge height of 10.5 metres. The general design of the scheme largely remained the same with the exception of the changes outlined below:-

- The replacement of the 'porthole' windows on the eastern elevation with rectangular windows
- The replacement of the 'porthole' windows on the southern elevation with rectangular windows
- Relocation of the chimneys
- Replacement of sun room windows with full height glazing

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

With regard to publicity the surrounding neighbours were 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 Core Strategy Development Plan Document and

saved policies of the Stockton on Tees Local Plan (STLP)

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

The Planning Officer's report concluded that the proposed development was visually acceptable and would not have a significant impact on the neighbouring properties amenity or highway safety so as to justify a refusal of the application. The proposed development was therefore considered to be in accordance with policies CS2, CS3 and CS11 of the Core Strategy and Policy HO3 of the adopted Stockton on Tees Local Plan. It was therefore recommended that the application be approved with Conditions.

Members were presented with an update report that outlined that further comments had been received from neighbouring occupiers, these were detailed within the report.

The background section of the report was also incomplete and should have included a previous approval (08/3086/VARY) which allowed various changes and alterations to plots 1,3,4 & 5 from the originally approved scheme (08/0823/REV). Furthermore, comparison drawings between the elevations of the current proposals and the previous approval had been attached to highlight the changes between the two schemes.

All other aspects of the report including conditions and informative remained unchanged and were as set out within the original report.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their objections / comments could be summarised as follows:-

- * The development was visually unacceptable
- * The development was overpowering and there were no other houses in the area on 3 levels
- * Close proximity to neighbouring properties
- * Windows are overlooking
- * Fence should run the full length of the properties
- * The developer had breached planning conditions
- * Failure to respect the character of the neighbourhood
- * The development would have a significant impact on neighbouring properties amenity

Members then discussed the application at length and made the following comments both for and against the application:-

- * There had been a catalogue of problems concerning the developer
- * The developer had been playing the planning system
- * The development was supposed to reflect the Wainstones
- * The application was retrospective again
- * The highways and grass verges have been damaged
- * The development had not changed significantly from the original application and therefore the application should be approved

The representative from Technical Services reported that the highways and grass verges near the development would be inspected and the developer would be reminded of his duty to repair any damage done by his vehicles.

The application was approved.

RESOLVED that planning application 11/2989/FUL be approved subject to the following conditions and informatives:-

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
0760/PL1/FP1	24 November 2011
0760/PL1/FP2	24 November 2011
0960/PL1/BTa	5 January 2012
0760/02 A	24 November 2011
0760/PL1/EL	30 November 2011
1160/VAR1/LP	30 November 2011

Materials;

2. Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

Site Levels;

3. Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Landscaping;

4. A detailed scheme for landscaping including tree and 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. 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.

Construction Activity;

5. No construction activity shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 8.00 am – 1 pm Saturday and nor at any time on Sunday's or Bank Holiday's.

Tree Protection;

6. 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 a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy, the fence as approved shall be erected before construction commences and shall be maintained to the satisfaction of the Local Planning Authority throughout the entire building period.

Tree/Shrub retention;

7. The trees and shrubs indicated to remain shall be retained and not felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming severely diseased shall be replaced with trees of such a size and species as may be agreed with the Local Planning Authority.

Refuse collection;

8. Notwithstanding any information contained within this application full details of the methods of refuse collection and any bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

Removal of PD rights – Means of Enclosure

9. Notwithstanding the provisions of class A Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No. 2) (England) Order 2008 (or any order revoking and re-enacting that Order), the building hereby approved shall not erect any means of enclosure within the curtilage of the property without the written approval of the Local Planning Authority.

Obscure Glazing

10. The windows on the western side elevation of the property facing towards No. 16 Leven Road, shall be obscurely glazed and permanently fixed, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to occupation. The approved glazing shall be installed before the building hereby permitted is brought into use and shall be retained in perpetuity.

INFORMATIVES

Summary Reasons and Policies

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is

considered to be visually acceptable will not harm the character of the area, will not be detrimental to the amenity of the neighbouring properties or pose any significant highway safety risks and there are no other material considerations which indicate a decision should be otherwise.

Core Strategy Policies

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel; Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change; Core Strategy Policy 11 (CS11) -

Stockton on Tees Local Plan

HO3 Housing development on unallocated sites;

**P
57/11**

11/3019/FUL

**Plot 2 (1 Wainstones Court), Former 18 Leven Road Site, Yarm
Erection of detached dwellinghouse**

Consideration was given to a report on planning application 11/3019/FUL - Plot 2 (1 Wainstones Court), Former 18 Leven Road Site, Yarm - Erection of Detached Dwellinghouse.

The site was that of the former large residential property Wainstones. The property had since been demolished and had been developed for 5 separate plots, three of which had been constructed towards the rear of the site. The property on Plot 2 was largely complete (adjacent to No. 20) Leven Road, whilst construction was on going on Plot 1.

Planning permission was sought for the erection of a detached dwelling. The application sought changes to the previously approved development and at the time of the officer's site visit the changes to the scheme had already been carried out. The main bulk of the property and its design largely remained the same though external changes had been made, most notably these included the removal of the chimneys. Revised plans had also been received which showed amendments to the boundary treatment.

Whilst several objections had been received, the Planning Officers report considered that the proposed development remained visually acceptable and would not have a significant impact on the neighbouring properties amenity or poses any significant highway safety risk so as to justify a refusal of the application. The proposed development was therefore considered to be in accordance with policies CS2, CS3 and CS11 of the Core Strategy and Policy HO3 of the adopted Stockton on Tees Local Plan.

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

With regard to publicity the surrounding 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 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 saved policies of the 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.

In conclusion the Planning Officers report considered that the proposed development was visually acceptable and would not have a significant impact on the neighbouring properties amenity or highway safety so as to justify a refusal of the application. The proposed development was therefore considered to be in accordance with policies CS2, CS3 and CS11 of the Core Strategy and Policy HO3 of the adopted Stockton on Tees Local Plan. It was therefore recommended that the application be approved with Conditions.

Members were presented with an update report that outlined that further comments had been received from neighbouring occupiers, these were detailed within the report.

Comparison drawings between the elevations of the current proposals and the previous approval (09/2382/REV) were attached to the update report that highlighted the changes between the two schemes.

All other aspects of the report including conditions and informative remained unchanged from the original report.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their objections / comments could be summarised as follows:-

- * The development was visually unacceptable
- * The chimney and tiles are different from the original plans that were submitted and are unacceptable
- * The window frames are plastic and not sash
- * The houses are overbearing and should not be a 3 story mass
- * An intrusion to the amenity space of neighbouring properties
- * Windows are overlooking
- * The landscaping of the application had been altered and was unacceptable

Members then discussed the application at length and a Member asked if the landscaping condition could be extended to 15 or 20 years. The Planning Officer responded that the Planning Inspector had said that 5 years maximum was a reasonable request for a landscaping condition.

A vote then took place and the application was approved.

RESOLVED that planning application 11/3019/FUL be approved subject to the following conditions and informatives:-

Approved Plans

1. The development hereby approved shall be in accordance with the following

approved plan(s);

Plan Reference Number	Date on Plan
1160/VAR2/LP	30 November 2011
0960/BR/PL2/EL	24 November 2011
0760/02A	30 November 2011
0960/PL2/BR/FP1	24 November 2011
0960/PL2/BTa	5 January 2012

Materials;

2. Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

Site Levels

3. Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Landscaping;

4. A detailed scheme for landscaping including tree and 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. 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.

Construction Activity;

5. No construction activity shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 8.00 am – 1 pm Saturday and nor at any time on Sunday's or Bank Holiday's.

Tree Protection;

6. 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 a protective fence of appropriate specification extending three metres beyond the perimeter of the canopy, the fence as approved shall be erected before construction commences and shall be maintained to the satisfaction of the Local Planning Authority throughout the entire building period.

Tree/Shrub retention;

7. The trees and shrubs indicated to remain shall be retained and not felled, lopped or topped without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming severely diseased shall be replaced with trees of such a size and species as may be agreed with the Local Planning Authority.

Refuse collection;

8. Notwithstanding any information contained within this application full details of the methods of refuse collection and any bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

Removal of PD rights – Means of Enclosure

9. Notwithstanding the provisions of class A Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order), the building hereby approved shall not erect any means of enclosure within the curtilage of the property without the written approval of the Local Planning Authority.

Obscure Glazing

10. The windows on the eastern side elevation of the property facing towards No. 20 Leven Road, shall be obscurely glazed and permanently fixed, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to occupation. The approved glazing shall be installed before the building hereby permitted is brought into use and shall be retained in perpetuity.

INFORMATIVES

Summary Reasons and Policies

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is considered to be visually acceptable will not harm the character of the area, will not be detrimental to the amenity of the neighbouring properties or pose any significant highway safety risks and there are no other material considerations which indicate a decision should be otherwise.

Core Strategy Policies

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel; Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change; Core Strategy Policy 11 (CS11) -

Stockton on Tees Local Plan

HO3 Housing development on unallocated sites;

P

11/3029/FUL

**58/11 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)**

Consideration was given to a report on planning application 11/3029/FUL - 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).

The application site already benefitted from two planning permissions. The original application for the erection of a two storey extension to the side, single storey extensions to the rear and the erection of a canopy to the front was approved on 24th September 2008, planning reference 08/1971/FUL. A revised part-retrospective application was later approved in December 2009, planning reference 09/1532/REV. A third application (reference 11/0421/FUL) was withdrawn in April 2011 while a fourth application (reference 11/2420/REV) was withdrawn on 21st November 2011.

The main planning considerations with regard to the application were the extant planning permissions that the site already benefitted from, the impact on the existing dwelling and street scene, the impact on the amenity of neighbouring properties, and highway safety and access.

No objections had been received from the Head of Technical Services or the Environmental Health Unit.

Six letters of objection had been received from neighbouring properties, a Local Ward Councillor and Yarm Residents Group. These objections raised concerns that the works would create a terracing effect as opposed to the original 'link' terrace design and would as a result create an incongruous design in the street scene to the detriment of the visual amenity of the surrounding area; the scheme would have an adverse impact on the amenity of adjacent neighbouring properties and the wider area that the applicant had continued to build on the site without the correct planning permission in place; the works could have a detrimental impact on the foundations of the adjacent neighbouring properties and the Party Wall Act should be served.

In view of the number of objections received being more than 5 contrary to the case officer's recommendation, in accordance with the Council's Scheme of Delegation the application had been referred to Planning Committee for determination.

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

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

Members were presented with an update report that set out the main changes to the most recently approved planning (09/1532/REV).

The Planning Officer's report concluded that the scheme accorded with Core Strategy Policy CS3, Saved Local Plan Policy HO12 and supplementary planning guidance (SPG2 and SPD3) as the proposal does not lead to an adverse loss of amenity for neighbouring residents. It was also considered that the proposal did not have an adverse impact on the existing dwelling, street scene, or impact on highway or public safety.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their objections / comments could be summarised as follows:-

- * The revised application was an overdevelopment of the site
- * The development would cause a terracing effect
- * Work has been carried out without planning permission
- * The development was contrary to parts of the PPG
- * If the application was approved it would be contravening a court order

With regard to the objector's comment about a court order the legal advisor to the Committee reported that nothing had been brought to her attention saying that the Committee could not determine the application. She advised that the granting of planning permission did not grant permission to breach any court order and any issues as to ownership of the wall and the Party Wall Act were civil matters between the two parties.

Members then discussed the application at length. Members spoke both in for and against the application and their comments could be summarised as follows:-

- * There is not a property on the whole estate that is similar to the development
- * The development would cause a terracing effect
- * The development is not out of character with other properties in the area

A vote then took place and the application was approved.

RESOLVED that Planning application 11/2420/REV be approved subject to the following conditions and informative:-

1. The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
SBC0001	29 November 2011
SPITAL/02 REV P3	29 November 2011
SPITAL/01 REV P14	29 November 2011

2. Materials to be used in the construction of the external surfaces walls and

roof shall match the existing dwelling .

3. All construction operations including delivery of materials on site shall take place only between the hours of 8.00 a.m. - 6.00 p.m. on weekdays and 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

INFORMATIVES

General Policy Conformity

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these policies as the proposal does not lead to an unacceptable loss of amenity for neighbouring residents in terms of outlook, overlooking, overbearing and overshadowing. It is also considered that the proposal does not have an adverse impact on the existing dwelling and does not introduce significant incongruous features within the street scene. It is further considered that the proposal does not have an adverse impact on public and highway safety. There are no material planning considerations, which indicate that a decision should be otherwise.

The following policies of the Adopted Core Strategy Development Plan Document (March 2010), the Saved Policies from the Adopted Stockton on Tees Local Plan (1997) and associated documents are considered to be relevant to the determination of this application

Saved Policy HO12 -Domestic Development
Supplementary Planning Guidance Note 2; Householder extension guide (SPG2, 2004)
Supplementary Planning Document 3; Parking provision for new development (SPD3, 2006)

P **11/3056/RET**
59/11 **2-4 Shannon Crescent, Stockton-on-Tees,**
 Retrospective application for installation of ATM cash machine

Consideration was given to a report on planning application 11/3056/RET - 2-4 Shannon Crescent, Stockton on Tees - Retrospective application for installation of ATM Cash Machine.

Six letters of objection had been received to the application including the residents opposite the site at 1, 3 and 5 Shannon Crescent raising concerns over the additional traffic generated and the impact in terms of noise and disturbance.

The Head of Technical Services had no objection on landscape and visual or highway grounds.

The applicant requested permission for the use of the ATM 24 hours a day, however the Planning Officer considered this to be unacceptable and it was considered necessary to attach conditions to limit the use to between the hours of 0600 and 2200 which were the shop opening hours. It was considered limiting the hours of use in line with the shop opening hours would ensure there

was no significant detrimental impact on amenity of neighbouring occupiers.

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

With regard to publicity neighbours had been notified and six letters of objection had been received which 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 Core Strategy Development Plan Document and saved policies of the 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 Planning Officers report concluded that due to the appearance of the commercial building, the addition of the ATM did not have a significant detrimental impact on the character of the existing building and did not form an incongruous feature within the street scene.

Furthermore, it was considered that by restricting the use of the ATM during shop opening hours, it would not have a significant detrimental impact on the amenity of neighbouring occupiers. It was considered that the additional traffic generated by the use of the ATM during shop opening hours had to be seen in the context of the generation of traffic by the existing shop which was a cause of concern to the residents who had objected to the proposal but was a lawful use.

Two objectors, a neighbouring resident and her son were in attendance at the meeting and were given the opportunity to make representation. Their objections / comments could be summarised as follows:-

- * Noise disturbance from vehicles
- * Light pollution from the ATM
- * Increased traffic
- * Additional traffic in the surrounding area particularly around the one-way system
- * Visual impact of the ATM

Members then discussed the application at length. Members felt that the ATM would generate additional traffic and noise disturbance. Members also felt that the ATM would create traffic problems in the surrounding area and could lead to the misuse of the one-way system. The size and position of the ATM was also of concern to Members.

A vote then took place and the application was refused.

RESOLVED that planning application 11/3056/RET be refused for the following reasons:-

1. In the opinion of the Local Planning Authority the installation of an ATM machine would generate additional traffic movements within a residential area. The general increase in activity and associated noise disturbance, both pedestrian and car-borne, would be detrimental to the residential amenity that the occupiers of nearby premises would reasonably expect to enjoy.
2. In the opinion of the Local Planning Authority the installation of an ATM machine would generate additional traffic along Antrim Avenue and Shannon Crescent in an area subject to traffic problems. Such a proposal could lead to the mis-use of the one-way system operating in the area
3. In the opinion of the Local Planning Authority the size and position of the ATM creates an incongruous feature on the shop front and is detrimental to the visual amenity of this predominantly residential area.

P **11/3057/ADV**
60/11 **2-4 Shannon Crescent, Stockton-on-Tees,**
 Retrospective application for installation of 1 No. internally-illuminated
 cash machine advert

Consideration was given to a report on an application for advertising consent 11/3057/ADV - 2-4 Shannon Crescent, Stockton on Tees - Retrospective application for installation of 1 No. internally illuminated cash machine advert.

Six letters of objection had been received to the application including the residents opposite the site at 1, 3 and 5 Shannon Crescent raising concerns regarding the impact of the light and the increase in traffic and noise.

The Head of Technical Services had no objection on landscape and visual or highway grounds.

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 six letters of objection had been received which 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 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 saved policies of the 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 Planning Officers report concluded that due to the appearance of the commercial building, the addition of the signage did not have a significant detrimental impact on the character of the existing building and did not form an

incongruous feature within the street scene.

Furthermore, it was considered that due to the scale, level of illumination and location of the signage there was not a significant detrimental impact on public amenity.

Members then discussed the application. Members felt that the signage because of its type and level of illumination and appearance in terms of its size and position would be detrimental to the visual amenity of local residents.

A vote then took place and the application was refused.

RESOLVED that planning application 11/3057/ADV be refused for the following reason:-

In the opinion of the Local Planning Authority the type and level of illumination and its incongruous appearance in terms of its size and position is detrimental to the visual amenity of this predominantly residential area.

(At this point Councillor Gibson withdrew from the Chair and left the meeting. Councillor Kirby was in the Chair for the remainder of the meeting.)

P
61/11 **Stockton-on-Tees Local development Scheme**

Consideration was given to a report on the Local Development Scheme (LDS) 2012 - 2015.

The report advised Members of an updated timetable for the preparation of Stockton-on-Tees Local Development Framework to cover the three year period 2012 to 2015. The revised LDS contained a number of significant changes this year; the key one being the amalgamation of the results of the Core Strategy partial review Issues and Options consultation, the Regeneration Development Plan Document (DPD) and the Environment DPD into a single Regeneration and Environment Local Plan DPD to be taken forward to the next stages of plan preparation, which were Preferred Options, Publication and Examination-in-Public.

The LDS was a public statement of Stockton Council's programme for the production of its development plan over the next three years. Stockton's first LDS was adopted in March 2005 and had been revised on an annual basis since then. Originally, the LDS was referred to Cabinet and Council for approval but in April 2008, Council delegated the decision for agreeing amendments to the LDS to the Head of Planning in consultation with the Chairperson of the LDF Members' Steering Group. Once LDF Steering Group Members and Planning Committee had had an opportunity to comment on the draft timetable, the delegation process would be completed. Formerly the LDS had also to be agreed by the Secretary of State (via Government Office for the North East GO-NE). However since the abolition of GO – NE, the Chief Planning Inspector had advised that updated LDS were to be forwarded directly to CLG. It would also be published on the Council's website.

The Localism Act 2011 included a number of changes to the way that Local Plans were to be prepared. Councils must still prepare and maintain an LDS,

specifying which documents would be development plan documents (DPDs), their subject matter and the timetable for their preparation and revision, but Councils are no longer be required to submit the LDS to the Secretary of State. However, they must publish up-to-date information on their progress on preparing DPDs against the LDS but they would have the flexibility to decide how best to provide this information to the public, for example, using on-line timetables.

In addition to changes to the preparation of the LDS, the Localism Act and draft National Planning Policy Framework proposed changes to the process of plan preparation. There was a return to the use of the term "local plan" to replace the "Local Development Framework" and, in order to speed up the process of plan preparation and make the system more easily understood by the public, the government was advising Councils to reduce the number of development plan documents they produce, where possible. Many local authorities were, therefore, reverting to a single local plan style document covering all issues relevant to a local authority area.

Combined with these systemic changes to the planning system, changes to the establishment of the Planning Service meant that resources to produce the development plan would be reduced. For these reasons, it was proposed that the remaining DPDs; the next stage of the Core Strategy Review, the Regeneration DPD and the Environment DPD (but not the Gypsy and Traveller Site Allocations DPD) would be combined into a single development plan for the Borough entitled "Stockton-on-Tees Borough Council Regeneration and Environment Local Plan," which would move forward with a single timetable.

At its meeting on 15th November, the Local Development Framework Member Steering Group agreed to the amalgamation of the results of the Core Strategy Review, the Regeneration and Environment DPDs into a single Regeneration and Environment Local Plan, the preparation of a separate Gypsy, Traveller and Travelling Showpeople Site Allocations DPD and revised timetables for their preparation.

Technically, the Community Infrastructure Levy was not a development plan document and therefore did not need to form part of the LDS. However, its preparation would proceed in parallel with the production of the Regeneration and Environment Local Plan.

A copy of the revised LDS was attached to the report.

RESOLVED that:-

1. The results of the Core Strategy Review, the Regeneration Development Plan Document and the Environment Development Plan Document into a single Stockton-on-Tees Borough Council Regeneration and Environment Local Plan DPD be amalgamated.
2. A separate Gypsy and Traveller Site Allocations DPD be prepared.
3. The revised timetable for Stockton-on-Tees LDS be agreed.

PLANNING PERFORMANCE

Consideration was given to a report that updated Members on the performance of the Planning Department for the third 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 in 2011/12 along the lines that was done already, as CLG had indicated that they wanted 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 ran from 1st April - 31st March each year. The report presented the performance of the third quarter in that period, 1st October to 31st December 2011.

Performance results achieved for the third period were 90% for major applications, 77.79% for minor and 92.63% for others, achieving above performance in major and other applications and missing the minor threshold by the equivalent of 2 applications. Whilst the performance level for minor applications had not been achieved for this quarter, the cumulative result for the year to date was 87.36% therefore well above target. A table and charts highlighted performance over the quarter and the cumulative results for the year to date.

9 out of 10 major applications were determined within the 13 week target. The application which went over the target was for land to the west of Stillington for the erection of 4 No. wind turbines (max height 125m) and associated infrastructure to include anemometer masts, access roads, crane pads, control building, substation and temporary construction compound (10/2549/EIS) which had also been the subject of a judicial review with the original decision being quashed and subsequently approved at committee in December 2011.

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

be acknowledged.

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- 1. Appeal - Mrs Jennifer Brooks - Kirklevington Riding Centre, Town End Farm, Fieldhouse Lane, Kirklevington. - 11/1543/FUL - APPEAL ALLOWED WITH CONDITIONS AND APPLICATION FOR COSTS - REFUSED**
- 2. Appeal - Mr M Davison - 55 Castlemartin Ingleby Barwick - 11/2083/FUL - APPEAL ALLOWED WITH CONDITIONS AND APPLICATION FOR COSTS REFUSED**
- 3. Appeal - Mrs S Palfreeman - 4 Glenfield Close Stockton - 11/2058/FUL - DISMISSED**
- 4. Appeal - Mrs Yagub Mughal - 9 Highfield Close Eaglescliffe - 11/1867/FUL - APPEAL ALLOWED FOR SIDE EXTENSION AND DISMISSED FOR DRY STORAGE AREA.**

RESOLVED that the appeals be noted.