

Planning Committee

A meeting of Planning Committee was held on Wednesday, 20th June, 2012.

Present: Cllr Robert Gibson (Chair); Cllr Jim Beall, Cllr Michael Clark (Vice Cllr Norma Stephenson), Cllr Gillian Corr, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ray McCall (Vice Cllr Michael Smith), Cllr David Rose and Cllr Andrew Sherris.

Officers: C Straughan, S Grundy, P Shovlin, H Smith, J Hutchcraft (DNS); J Butcher, P K Bell (LD).

Also in attendance: 1 Member of the public.

Apologies: Cllr Mark Chatburn, Cllr John Gardner, Cllr Michael Smith, Cllr Norma Stephenson and Cllr Mick Stoker.

P Declarations of Interest

23/12

There were no interests declared.

P

2/0807/FUL

24/12

**Land Adjacent To Roseville Nursing Home, Blair Avenue, Ingleby Barwick
Erection of 2 storey 22 no bedroom care unit (C2)**

Consideration was given to a report on planning application 12/0807/FUL - Land Adjacent To Roseville Nursing Home, Blair Avenue, Ingleby Barwick - Erection of 2 storey 22 no bedroom care unit (C2).

The application site had been subject to a number of planning applications. Development was first approved on the site in outline, for a community centre and children's day nursery with associated car parking. Various applications had since been submitted for a variety of mixed use schemes many of which had been granted permission on appeal, with the latest appeal decision establishing planning permission for an 81 bed care home and 2 blocks of sheltered housing accommodation (totalling 24 beds).

The Planning Enforcement Section had been alerted to the fact that development had not proceeded in accordance with the approved plans and following investigations it was evident that various alterations had occurred. The application therefore sought to regularise matters.

The application site formed part of a larger site to the north of Blair Avenue and to the north west of the Ingleby Barwick local centre. To the west of the site was an area of open space that had recently been fenced off and had been granted planning permission for 48. retirement apartments. Beyond this area lie the residential streets of Rowen Close and Snowdon Grove. To the north was also an area of open grassland, this land had the benefit of an outline planning consent for residential development. The wider site consisted of a 2 and 3 storey L shaped care home building (to the east) and a smaller block of sheltered accommodation (currently under construction, to the south).

Planning permission was sought (part retrospectively) for the erection of a 22 bedroom luxury care home over two storeys. The building remained of the same size and scale as previously approved, although also proposed some external

alterations.

It was considered the application site was a sustainable location in accord with the National Planning Policy Framework (NPPF) and Local Plan saved policy HO3. The previous full, outline and reserved matters planning permissions granted in 2004, 2008, 2009 and 2010 had established the principle that the site was appropriate for development. In terms of the need for the care home, it was known that there was sufficient bed space across the borough and that some care homes operated with an element of vacancy within them. However, competition was not a material planning consideration and could not be taken into account as part of the application. The proposed development was considered to be of an appropriate scale while the choice of materials reflected the character of the surrounding properties both were considered acceptable. The Head of Technical Services had no objections to the proposed development and it was extremely unlikely the proposal would exacerbate traffic congestion in the area or result in significant levels of on street parking.

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

Neighbours had been notified through individual letters and a site notice displayed on the site. 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 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.

Section 143 of the Localism Act came into force on the 15th January 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

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

The Planning Officer's report concluded that the planning application accorded with the relevant planning policies and that the proposal should be approved subject to the planning conditions set out within the report.

Members were presented with an update report that outlined that objections had been received to the application from Ward Councillors Dixon, Harrington and Patterson. Further comments had also been received from the Head of Technical Services. These comments along with the additional material planning considerations were detailed within the report.

Members then discussed the application and their comments could be summarised as follows:-

- * The applicant has had complete disregard to the Planning Department
- * Block B has been built to roof level
- * There is supposed to be a garden to the front of the building but it is now a car park
- * The smallest possible amenity area has been provided
- * This application is retrospective again
- * The application cannot be refused on amenity space because of the Planning Inspectors decision
- * The applicant should have had discussions with the CESC
- * Very reluctantly would have to support the Officers recommendation

The Planning Officer then responded to some of the issues that had been raised:-

- * The Planning Inspector has accepted the amenity space on appeal and Members needed to take that into consideration
- * The Planning Department has had very little opportunity to influence the application due to the actions of the developer

A vote then took place and the application was approved.

RESOLVED that planning application 12/0807/FUL be approved subject to the following conditions and informative(s):-

Approved Plans:-

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

Plan Reference Number	Date on Plan
A-00	29 March 2012
D-02	29 March 2012
D-02 A	29 March 2012
D-04 B	29 March 2012
D-03 C	18 April 2012
A-12 REV B	15 May 2012
A-13 REV B	15 May 2012
D-07	29 May 2012

Materials:-

2. The hereby approved building shall be constructed of the following materials;
Brick – Hanson- Butterley Cumber buff/red
Render – White brushed finish
Roof tile – Sandtoft brown pantile

Soft landscaping & Landscape management plan:-

3. In the first planting season following the first occupation of the hereby approved development all soft landscaping works shall be implemented in accordance with drawing 2611 A-12 rev B, the submitted landscape specification and management plan (rev D, 15th May, 2012).

Tree/Shrubs dying within 5 years to be replaced:-

4. Any tree or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Hard Landscaping:-

5. All hard landscaping materials shall be carried out in full accordance with the submitted information schedule (29th May 2012).

Means of enclosure:-

6. Prior to the first occupation of the hereby approved development the proposed means of enclosure shall be carried out in accordance with drawing 2611 A-13 rev C and maintained for the lifetime of the development.

Cycle stores:-

7. Prior to the occupation of the proposed development cycle parking facilities shall be provided in accordance with the 'Broxap' details and drawing 2690 D-02 Rev A.

Refuse stores:-

8. Prior to the occupation of the proposed development cycle parking facilities shall be provided in accordance with drawings 2690 D-02 Rev A and 2690 D-07

Construction hours:-

9. No construction activity shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 9.00 am – 1.00 pm Saturday and nor at any time on Sunday's or Bank Holiday's.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Summary reasons and General Policy Conformity;

It is considered the application site is a sustainable location in accord with the National Planning Policy Framework (NPPF) and Local Plan saved policy HO3. The proposed development is of an appropriate scale and the design and choice of materials reflect the character of the surrounding properties. The development is also considered to be a sufficient distance from neighbouring properties so as not to have a detrimental impact on levels of residential amenity and will not create any additional impact on the highway network. The development has been considered against the policies below and it is considered that there are no other material considerations that indicate a decision should be otherwise.

Core Strategy;

CS2 - Sustainable Transport and Travel

CS3 - Sustainable Living and Climate Change,

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

Local Plan;

HO3 – Housing on unallocated sites

National Planning policy Framework

P **1. Appeal - Mrs S Davis - 99 Junction Road Stockton - 11/1540/OUT -**
25/12 **DISMISSED**

RESOLVED that the appeal be noted.