

Planning Committee

A meeting of Planning Committee was held on Wednesday, 3rd October, 2012.

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

Officers: C Straughan, B Jackson, R McGuckin, S Grundy, P Shovlin (DNS); J Butcher, P K Bell (LD).

Also in attendance: Applicants, agents and Members of the public.

Apologies: Cllr Jim Beall, Cllr Mark Chatburn, Cllr John Gardner, Cllr David Rose, Cllr Norma Stephenson and Cllr Mick Stoker.

P Evacuation Plans

57/12

The Evacuation Plan was noted.

P Declarations of Interest

58/12

Councillor Steve Walmsley declared a personal interest in respect of agenda item 5 - 12/1586/OUT - The Rocket, Railway Terrace, Thornaby
Outline application for the demolition of existing building and erection of student accommodation with cafe/bar as he was a member of Thornaby Town Council who had been consulted on the application and made representations in support. Councillor Walmsley also advised the Committee that he had made his views known on regeneration, wherever it was, previously and his views had not changed. Councillor Walmsley did not take part in the vote on this item.

P Minutes

59/12

The minutes of the meeting held on 12th September 2012 were confirmed and signed by the Chair as a correct record.

P 12/1586/OUT

60/12

**The Rocket, Railway Terrace, Thornaby
Outline application for the demolition of existing building and erection of student accommodation with cafe/bar**

Consideration was given to a report on 12/1586/OUT - The Rocket, Railway Terrace, Thornaby - Outline application for the demolition of existing building and erection of student accommodation with cafe/bar.

The application site was a two storey building with a large industrial style building with associated car parking to the east, which formed the former Rocket Union. The building had been vacant for a number of years and its condition had continued to deteriorate. The Grade II listed Thornaby Town Hall lay to the west of the site, while a variety of commercial units were in close proximity.

Previous applications (08/2713/FUL & 09/0500/FUL) for student accommodation were refused by the Planning Committee, with the later also

being dismissed on appeal.

Outline planning consent was sought for student accommodation with a cafe/bar, only the principle of development was sought with all matters being reserved for future submission. The supporting documentation also indicated that provision for approximately 200 student beds would be provided.

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 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.

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 required 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 Officers report concluded that in view of the above considerations, a view remained that there was no clear proven need for student accommodation and the proposal would fail to satisfy the requirements of policy CS8(11) in this respect. However, the site was in a sustainable location and would have some regeneration benefits and therefore meet with these aspects of policy CS8 (11). There remained some potential for the building to be converted to an alternative use, though any application would need to be fully considered. Significant weight was given to the Governments aims for achieving economic growth and the proposed development clearly met with several of these aims in that it would regenerate a previously developed site and provide a significant level of investment into the borough creating jobs and prosperity. It was considered that these benefits would outweigh any harm that may arise out of the development not meeting a clearly proven need for student accommodation. It was considered that the overall advantage of the proposed development to the regeneration of the area outweighed the policy restrictions in the development plan, when read as a whole.

The proposed development was also considered to be visually acceptable and would not have a detrimental impact on the setting of Thornaby Town Hall. It was also considered that adequate controls could be placed on the development to secure satisfactory levels of residential amenity and there were

no significant impacts on highway safety.

Members were presented with an update report that outlined that additional information from the applicant had been provided to highlight an interest in the site. This showed correspondence between the applicant and a third party acting on behalf of a national operator within the student accommodation sector. It indicated that there was a strong interest in the site, subject to outline planning permission being received. This information was commercial sensitive so no further details could be provided.

The recommendation remained as set out within the original committee report subject to the updated Heads of Terms and additional planning conditions.

The agent for the applicant was in attendance at the meeting and was given the opportunity to speak in favour of the application. His comments could be summarised as follows:-

- * Fully support officer recommendations
- * The development will bring significant investment / spending to the area
- * The development will bring construction jobs

An objector was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:-

- * Previous applications for this site have been refused
- * Contrary to policy CS8 (11) - No evidence or proven need for further student accommodation
- * Relevant policies should be read in conjunction with each other
- * There has been no consultation with Durham University
- * The scale and mass of the development is inappropriate for the site
- * There has been a failure to prove demand in previous appeal notices for student accommodation
- * 8 storey development will be overbearing on residential properties and Thornaby Town Hall
- * Members should visit the site before making any decision
- * It is a long and narrow site and other options should be considered
- * The application should be refused

The Planning Officer outlined the following points:-

- * The application does meet some aspects of policy CS8 (11)
- * There has been consultation with Durham University but they chose not to respond
- * The issue of a future possible change of use of the development had been looked at but any implications had been difficult to prove one way or the other

Members then discussed the application and made the following points:-

- * The area needs regeneration
- * The building at the moment is an eyesore
- * The site is embarrassing at the moment as it is the first site people see when they get off the train at Thornaby Station
- * Stockton High Street needs more footfall and this application will help provide

it

- * The development will not be detrimental to Thornaby Town Hall
- * The designers have complimented Thornaby Town Hall
- * Dereliction kills areas off

A vote then took place and the application was approved.

RESOLVED that planning application 12/1586/OUT be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and subject to the following conditions and informative:-

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
1230/L100	28 June 2012

Reserved matters – Period for submission of details

2. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reserved Matters – Period for commencement

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later

By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

Reserved matters – Details

4. Approval of the details of the layout, scale, appearance, landscaping and means of access to the site (the reserved matters), shall be in accordance with the details of a scheme to be submitted to, and approved by the Local Planning Authority before development commences.

By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

Materials

5. 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).

Existing and proposed site levels;

6. Notwithstanding the information submitted as part of the application details of the existing and 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.

External Lighting;

7. Details of all external lighting of the building and car park area, including the lighting design, siting, colour, shielding and levels of luminance shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected. Before the use commences, such lighting shall be shielded and aligned to avoid the spread of light in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter such lighting shall be maintained to the same specification and adjusted, when necessary, to the satisfaction of the Local Planning Authority. Reason: To avoid light pollution in the interests of the visual amenities of the area

10% Renewables

8. No development shall take place until the Local Planning Authority has approved in writing a report provided by the applicant identifying how the predicted CO₂ emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

Noise disturbance

9. Prior to the commencement of the development hereby approved by this planning permission a scheme for the protection of the proposed residential accommodation from both internal and external sources shall be submitted to and approved by the Local Planning Authority. The scheme shall include predicted noise levels at residential properties. The scheme shall achieve internal noise levels of less than 35 dB(A) Laeq in living rooms, less than 30 dB(A) Laeq in bedrooms, and individual noise events not to exceed 45dB LAFmax in bedrooms. Any works, which form part of the scheme, shall be completed in accordance with the approved scheme and prior to any part of the housing development being first occupied or used.

Construction Activity;

10. No construction activity or deliveries 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.

Open burning;

11. No waste products derived as a result of carrying out the business hereby approved shall be burned on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

Unexpected land contamination

12. 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.

Waste and recycling

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

Travel Plan

14. Within six months of the first use or occupation of the development, a detailed travel plan shall be undertaken and submitted to and approved by the Local Planning Authority. The travel plan shall detail measures, actions and targets of how to reduce car travel and car dependency to and from the site. The travel plan shall be implemented in accordance with these agreed details.

Travel Plan Coordinator

15. Prior to first use or occupation of any part of the development, a travel plan co-ordinator shall be appointed and contact details for this individual shall be provided to the Local Planning Authority.

Traffic management – term times

16. Prior to the first occupation of the hereby approved development a scheme detailing traffic management arrangements for the start and end of terms, to enable students and their belongs to be brought/removed from site shall be submitted to and approved by the Local Planning Authority. Thereafter the proposed development shall be managed in accordance with the agreed scheme.

Surface water drainage

17. Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

Cycle Parking Provision

18. Prior to commencement of the development hereby permitted, details of all cycle parking provision (including secure covered cycle storage for staff) shall

be submitted in writing to the Local Planning Authority for consideration and approval. The approved scheme shall be implemented in full and those facilities available for use of the hereby approved extension.

Café/Bar – Hours of operation

19. The hereby approved café/bar shall not be open outside the hours of 7.00am-11.00pm.

Café/Bar – Control of use

20. Notwithstanding the provisions of Class A3/A4 of the schedule to the Town and Country Planning (Use Classes) Order 2005 as amended, the proposed commercial unit shall be used as a café/bar only.

Restriction on residential use

21. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 as amended the residential element of the development hereby approved shall be used solely for the purposes of accommodation of students undertaking full time educational courses, unless otherwise agreed in writing with the Local Planning Authority.

Fume extraction;

22. Before development commences details of a ventilation and fume extraction system in accordance with the details to be submitted and agreed in writing with the Local Planning Authority for approval. Such details shall include a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment which shall be installed and used at the premises. The agreed extraction system shall be installed before the development is brought into use and be in full accordance with the agreed details. Thereafter the extraction system shall be retained in full accordance with the approved detail and shall be operated and maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters.

Fat/Grease Trap;

23. Prior to the commencement of the use hereby permitted, details of a fat/grease trap to be installed in the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved details, and thereafter retained.

Site Waste management Plans

24. No development shall commence within any phase until a site waste management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The site waste management plan shall be prepared in accordance with Non-statutory guidance for site waste management plans April 2008 [DEFRA]. Thereafter, the site waste management plan shall be

updated and implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

25. Construction/Traffic management plan;

A traffic and construction management plan for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Such a scheme shall include details of routes and delivery times that HGVs will be permitted to use in the vicinity of the site and wheel washing facilities to ensure that no mud or debris is carried onto the highway. The agreed scheme shall be implemented in accordance with the approved details.

26. Car parking strategy;

Notwithstanding any information submitted as part of this application a car parking strategy shall be submitted to and be approved in writing prior to the first occupation of the development. Such a scheme shall detail how the parking spaces will be managed and made available to the residents of the scheme at all times, including details of any pricing policies. The agreed scheme shall be implemented and managed thereafter, in accordance with the approved details.

INFORMATIVES;

On the basis of there being no clear evidence on need for further student accommodation and any resultant harm being outweighed by the regeneration and economic benefits of the proposal, the principle of development is considered to be acceptable. The commercial elements are also not considered to harm to the vitality and viability of existing retail centres. The proposal is also considered to be visually acceptable, does not harm the setting of a listed building and does not pose a significant risk to highway safety or the amenity of neighbouring occupiers. 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.

CS2 - Sustainable Transport and Travel, CS3 - Sustainable Living and Climate Change, CS4 - Economic Regeneration, CS5 - Town Centres, HO3 – development on unallocated sites and EN28 – Listed Buildings

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

HEADS OF TERMS

Should the application be approved, a section 106 agreement is required for the following items;

• Contribution of towards public realm improvements along Railway Terrace for £36,000

**P
61/12**

12/2048/FUL

9-11 West Precinct, Billingham,

Public Realm improvements including provision of new seating, bollards, cycle stands, litter bins, lighting, CCTV and bandstand canopy.

Demolition of existing Town Square toilet blocks (with replacement provision elsewhere) and two of four existing pedestrian bridges to Kingsway car park

Consideration was given to a report on planning application 12/2048/FUL - 9-11 West Precinct, Billingham - Public Realm improvements including provision of new seating, bollards, cycle stands, litter bins, lighting, CCTV and bandstand canopy. Demolition of existing Town Square toilet blocks (with replacement provision elsewhere) and two of four existing pedestrian bridges to Kingsway car park.

The application site covered the majority of Billingham Town Centre and included areas such as the link from Moreland Avenue, East precinct, the Town Square, Queensway and the Kingsway decked car park.

The application sought planning permission for Public Realm improvements within Billingham Town Centre in line with the overall masterplan for the revamp of Billingham Town Centre. The proposal also included the provision for the demolition of existing Town Square toilet blocks (with replacement provision being made within West Precinct) and the demolition of two of four existing pedestrian bridges linking the Town Centre to the Kingsway car park.

The proposed works were not considered to have any significant impacts on levels of amenity or pose any significant issues in terms of crime and disorder or Highway safety. The proposed changes to the public realm were considered to accord with planning policy and would result in a more attractive, organised and legible environment.

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

With regard to publicity neighbours were notified and a site notice had been displayed within Billingham Town Centre, the period for public response would expire on the 4th October 2012. No objections or comments had been received to the proposed public realm improvements.

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 indicated 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 required 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 Officers report concluded that the proposed changes to Billingham Town Centres public realm were considered to accord with planning policy and would result in a more attractive, organised and legible environment. The proposed works were not considered to have any significant impacts on levels of amenity or pose any significant issues in terms of crime and disorder or Highway safety. The proposed development was therefore recommended to be delegated to the Head of Planning for approval subject to the above conditions and informatives and to the consideration of any representations which may arise from the site notice consultation period.

A vote took place and the recommendations were approved.

RESOLVED that planning application 12/2048/FUL be delegated to the Head of Planning for approval with the following conditions and informative(s), subject to no new issues being raised as part of the consultation process:-

Approved Plans;

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

Plan Reference Number	Date on Plan
UDN3021-006	24 August 2012
UDN3021-007	24 August 2012
UDN3021-008	24 August 2012
UDN3021-009	24 August 2012
UDN3021-010	24 August 2012
UDN3021-011 A	24 August 2012
UDN3021-013	24 August 2012
UDN2031-012	24 August 2012
UDN2031-002	24 August 2012
UDN2031-003	24 August 2012
UDN_3021_004 C	24 August 2012
UDN_3021_005	24 August 2012

Hard Landscaping;

2. Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape material/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 pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (eg public art and street furniture).

Construction/demolition Activity;

3. No construction / demolition activity or deliveries 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.

Construction Management Plan;

4. Notwithstanding any details submitted as part of the application a construction management plan detailing; construction vehicle access; the location of workers parking allocation; location of compounds and storage of materials; and the protection of the highway and highway users during demolition of the foot bridges shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. All works shall be carried out in full accordance with the agreed management plan, thereafter.

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 more attractive, organised and legible environment and will not have any significant impacts on levels of amenity or pose any significant harm in terms of crime and disorder or Highway safety. It is also considered that there are no other material considerations which indicate a decision should be otherwise.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

Core Strategy Policy 5 (CS5) - Town Centres

National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

**P
62/12**

12/1893/FUL

9-11 West Precinct, Billingham,

Change of use from A1 to A4 of existing Units Nos. 9-21, provision of external seating areas through works to public realm and the creation of a new retail (A1) unit within the West Precinct

Consideration was given to planning application 12/1893/FUL - 9-11 West Precinct, Billingham - Change of use from A1 to A4 of existing Units Nos. 9-21, provision of external seating areas through works to public realm and the creation of a new retail (A1) unit within the West Precinct.

In 2007 Stockland purchased Billingham Town Centre from the Council. Since this time they had liaised with retailers, the Council and local residents to develop a long term regeneration strategy resulting in an overall Masterplan for the District Centre which was approved by the Council in April 2010. Within the agreed masterplan, phase 1 showed the West Precinct being amalgamated to form a single unit with the intention of this being operated as a new food store.

Though attempts had been made to attract operators for a new food store, no occupier was found leading to a change in strategy on attracting new retailers and operators who would enhance the centre and its offer. This resulted in the submission of a planning application (ref; 12/0323/FUL) for a change of use of the units from A1 to A4 and the creation of a new retail which was previously approved.

The application site was situated within Billingham Town Centre and formed the western edge of the main pedestrian shopping street and also provided access

to Kingsway and Queensway house above. Access was also provided to Dawson House and the Library through the West Precinct.

The application again sought permission for the change of use of units within the West Precinct from A1 use (retail) to A4 use (drinking establishment), with external seating area and also for the creation of a new retail unit.

The proposal differed from the previous submission in that the proposed change of use to the A4 use would include the amalgamation of units 9-21 of the West Precinct creating 815 sq m of floor space (increased from 672 sq m). Some external changes were also proposed and some additional windows included. The proposed new retail unit remained unaltered with the exception of an increased service corridor and created a net retail area of 315 sq m. The store itself would measure approximately 12m (w) x 30m (l) infilling an area within the existing ground floor of the West Precinct.

It was considered that the proposed change of use and new retail unit would not have a detrimental impact on vitality and viability of Billingham Town Centre; that the external changes to the scheme were acceptable and should help to improve on the visual appearance of the units; the proposal would not pose any significant harm to the amenity of neighbouring occupiers; or pose any significant risks to highway or public safety.

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

Neighbours were notified and a site notice had been displayed adjacent to the site within Billingham Town Centre, which would expire on the 4th October 2012. No objections or comments had been received to the proposed development.

The Planning Officers report concluded that in view of the above material planning considerations it was considered that the proposed change of use and new retail unit would not have a detrimental impact on vitality and viability of Billingham Town Centre and were acceptable in planning policy terms. The external changes to the scheme were considered acceptable and should help to improve on the current visual appearance of the units. The proposal was also not considered to pose any significant harm to the amenity of neighbouring occupiers, or pose any significant risks to highway or public safety.

However, as a result of the period of public consultation from the display of the site notice not having expired, it was recommended that the application be delegated to the Head of Planning with the recommendation that Members were minded to approve the application subject to the above conditions and informatives and to the consideration of any new representations which may arise from the site notice consultation period.

A vote took place and Members agreed the Planning Officers recommendations.

RESOLVED that planning application 12/1893/FUL be delegated to the Head of Planning for approval subject to the following conditions and informatives and to the consideration of any representations which may arise from the site notice

consultation period:-

Approved plans;

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

Plan Reference Number	Date on Plan
F1638-P-01	10 August 2012
F1638-P-02 REV A	17 September 2012
F1638-P-04 REV B	17 September 2012
F1638-P-10	10 August 2012
150-000 REV 02	10 August 2012
F1638-P-03	10 August 2012
F1638-P-05	10 August 2012
F1638-P-06	20 August 2012

2. Materials;

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

3. Fume extraction;

Before development commences details of a ventilation and fume extraction system in accordance with the details to be submitted and agreed in writing with the Local Planning Authority for approval. Such details shall include a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment which shall be installed and used at the premises. The agreed extraction system shall be installed before the development is brought into use and be in full accordance with the agreed details. Thereafter the extraction system shall be retained in full accordance with the approved detail and shall be operated and maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters.

Fat/Grease Trap;

4. Prior to the commencement of the use hereby permitted, details of a fat/grease trap to be installed in the foul drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved details, and thereafter retained.

Outdoor Seating Area;

5. Food and drink shall not be consumed in the external seating/ smoking area after 23:00. There shall be no music played in the external seating/smoking area, and no use of lighting likely to cause a nuisance to adjacent premises. Doors to the external area shall be fitted with a lobby and or self-closing devices to prevent the ingress of smoke and egress of noise. The sides of any shelters used for smoking shall be maintained so as not to be enclosed or substantially

enclosed.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Summary reasons and General Policy Conformity;

The introduction of an A4 use and creation of a new retail unit is considered to be acceptable in principle and will not adversely affect the vitality or viability of Billingham Town Centre. The proposed development does not harm the character of the area, the amenity of neighbouring occupiers and is not considered to pose a significant risk to highway safety or public safety. 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,

CS5 - Town Centres, Policy

Local Plan Alteration No.1;

Policy S7 - Development and change of use within Thornaby and Billingham district centres

Policy S14 - Use classes A3, A4 and A5 'food and drink'.

Local Plan;

EN39 - Existing Hazardous development

National Planning Policy Framework

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

P Local Development Framework Minutes

63/12

RESOLVED that the Local Development Framework minutes from the meeting held on 24th July 2012 be noted.

**P
64/12**

1. Appeal - Mr Peshawa Mohammed - Big Mammis 5 Harland Place Norton - 12/0001/ADV and 12/0002/LBC - DISMISSED

2. Appeal - Mr M Tahir - 58 Bassleton Lane Thornaby - 11/2215/OUT - DISMISSED

3. Appeal - Mitchells and Butler plc - The Owington Farm Longfellow Road Billingham - 12/0009/REV - DISMISSED

4. Appeal - Mr George Robinson - 11 Holderness Wynyard Billingham - 12/1056/FUL - ALLOWED WITH CONDITIONS

5. Appeal - Mr J Craven - 56 Glaisdale Road Yarm - 12/0221/FUL - DISMISSED

6. Appeal - Mr D Shawcross - 2 Manor Drive Hilton - 12/1269/FUL - DISMISSED

RESOLVED that the appeals be noted.

