

Planning Committee

A meeting of Planning Committee was held on Wednesday, 10th April, 2013.

Present: Cllr Robert Gibson (Chair); Cllr Jim Beall, Cllr Mark Chatburn, Cllr Carol Clark (Vice Cllr David Rose), Cllr Michael Clark (Vice Cllr Paul Kirton), Cllr Gillian Corr, Cllr Eileen Johnson (Vice Cllr Michael Stoker), Cllr Jean Kirby, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Ray McCall, Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E and Cllr Steve Walmsley.

Officers: C Straughan, B Jackson, G Archer, S Grundy, P Shovlin, M Chicken, J Hutchcraft, K Campbell, C Snowdon(DNS); J Butcher, P K Bell(LD).

Also in attendance: Applicants, agents, members of the public.

Apologies: Cllr Paul Kirton, Cllr David Rose and Cllr Mick Stoker.

P Declarations of Interest

112/12

There were no interests declared.

P Minutes

113/12

The minutes of the meetings held on 27th February 2013 and 20th March 2013 were confirmed and signed by the Chair as a correct record.

P 12/1990/EIS

114/12

**Land South Of Green Lane, Yarm,
Outline application for residential development for up to 370 dwellings,
additional railway station car parking, access, infrastructure, open space
and landscaping (all matters reserved except for access)**

The Planning Officer verbally reported that there was a change to the recommendation and it was now recommended that the application be deferred for the following reason:-

It had been announced that the Tesco extension in Ingleby Barwick would not go ahead. The Tesco extension contributed significant funding towards road improvements in Ingleby Barwick which provided additional capacity on Ingleby Way and Myton Way (referred to as the Ingleby Barwick 'western improvements').

These improvements were taken into account in the assessment of Traffic Impact associated with the South West Yarm housing application. These highway works were included in the transport model which had been developed to assess the impact of the South West Yarm (and Free School) development.

Given the Tesco extension was not being progressed and given the timing of the Tesco announcement, the Head of Technical Services had not had an opportunity to test the impact of loss of Tesco highway mitigation.

It was therefore requested that a deferment be taken on the South West Yarm application to enable the full impact of this loss of mitigation in Ingleby Barwick to be considered. This would allow Members to be fully aware at a future Planning Committee meeting of the impact of the loss of the Tesco highway

mitigation in Ingleby Barwick and any potential alternative mitigation that may be required.

Members agreed that the application be deferred.

RESOLVED that planning application 12/1990/EIS be deferred.

P 115/12 12/2919/COU
White House Farm, Sandy Lane West, Billingham
Change of use of existing compound for HGV operations base for up to 12 lorries and trailers.

Consideration was given to a report on planning application 12/2919/COU - White House Farm, Sandy Lane West, Billingham - Change of use of existing compound for HGV operations base for up to 12 lorries and trailers.

The application sought retrospective planning permission for a change of use from an existing compound / agricultural parcel of land to a Heavy Goods Vehicles (HGV) operations base for up to 12 articulated tractor units / lorries and associated trailers.

The application site was White House Farm, located along Sandy Lane West, Billingham. The site consisted of a working farm involving beef fattening, dairy, sheep and arable operations. Two associated agricultural workers dwellings were also present on site (White House Farm and Hollygate). There were various farm buildings throughout the site. Agricultural / grazing fields were present to the south and to the west. Beyond the site entrance to the east was the A19 highway. The nearest properties within the Wolviston Court estate were sited approximately 200m beyond.

69 letters of objection had been received in addition to letters of objection from Councillor Mr M E Womphrey and Councillor Mrs M Womphrey, Grindon Parish Council and Wolviston Parish Council. These objections primarily related to the impact of highway and pedestrian safety, the impact on residential amenity in terms of noise disturbance and that the site was not suitable for the area. These and other objections were detailed within the report.

10 letters of support had been received, which primarily related to the use providing a satisfactory form of rural diversification during difficult economic times and that the use did not adversely affect the highway network.

The Head of Technical Services had assessed the application and considered that the use was acceptable in terms of its impact on highway and pedestrian safety, vehicular access and the impact on the highway network. The Environmental Health Unit Manager had raised no objections to the use in view of the limited number of vehicles accessing / exiting the site before 0700 hours.

The consultees 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.

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 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 report concluded that the scheme was considered to accord with the principles of the NPPF and the principles of sustainable development contained within this overarching national policy. The scheme was not considered to have an adverse impact on the character and appearance of the open countryside and existing landscape features or lead to an unacceptable loss of amenity for neighbouring land users. It was considered that the scheme would not have an adverse impact on highway safety and that there were no material considerations that indicated the application should be determined otherwise.

It was recommended that the application be approved with conditions for the reasons specified above.

Members were presented with an update report that outlined that since the publication of the main report, a further letter of objection had been received from the occupier of No 139 Whitehouse Road and was provided to Members in full, as the objector had wanted to attend the meeting but was unable to and had asked that his representation be circulated to Members.

It was also noted that the Head of Technical Services had incorrectly made reference to 'Sandy Leas Lane West' as opposed to 'Sandy Lane West' with regard to the vehicle survey results (paras. 33 and 34). The Head of Technical Services did make reference to the correct road name (Sandy Lane West) within the same paragraph (33).

It was not considered that the issues highlighted in the additional objection raised any new material planning considerations that had not been considered within the main Committee Report and that the incorrect reference to 'Sandy Leas Lane West' did not affect the assessment of the application. Consequently, the recommendation for approval remained unchanged.

The agent for applicant, objectors and a supporter were in attendance at the meeting and were given the opportunity to make representation.

The agent for the applicant make the following comments:-

* The application site will not be an operational distribution centre but a site that

would provide a registered base for operations of the company (Arrowhaul), although for the majority of the time, the lorries would out on the highway network fulfilling their contracts.

- * The farm would therefore provide an operating base for the parking of lorries and trailers when not in use and the fuelling of lorries for operations.
- * The drivers are mostly locally based and would not include any foreign drivers.
- * The lorries will not normally be moving about during school starting and finishing times
- * The scheme supports local jobs

The objectors made the following comments:-

- * The roads around the site are inadequate for HGVs
- * There are weight limits on the bridges over the A19
- * The application will increase the amount of HGVs travelling through Wolviston Village
- * A grant has been obtained to help road safety in the area
- * Thames Road is already very busy
- * HGVs cause problems with noise and speed
- * The vibrations from HGVs are causing damage to house foundations
- * The roads that are used were not built for HGVs

The supporter made the following comments:-

- * There are no problems with the noise or the comings and goings of the HGVs
- * Agree with what the agent for the applicant has previously said

Members were then given the opportunity to ask questions / make comment on the application and these could be summarised as follows:-

- * Can we have clarification on the weight limits over the A19 bridges?
- * Can we have a condition that includes reference to hours of use?
- * The use should be on an industrial estate and not where it is situated at the moment
- * The local Parish Councils are not happy with the application
- * Is it not a requirement for the applicant to get planning permission when they have got their operators licence?

Officers made the follows responses to the questions that had been raised:-

- * There are no weight restrictions on the bridges over the A19
- * A condition limiting the hours of use would be impossible to enforce and would not meet planning conditions criteria
- * No it is not a requirement of the operators licence to have planning approval

A vote then took place and the application was approved.

RESOLVED that planning application 12/2919/COU be approved subject to the following conditions and informatives below:-

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

Plan Reference Number Date on Plan
PRM/OH/01 13 December 2012

2. Proposed landscaping scheme

Within two months from the date of the decision notice, full details of a scheme for soft landscaping should be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan to show the provision of screen planting to be planted to the south east of the compound, in accordance with the specification planting details within informative 01 of the decision notice, which includes the requirement for 30% evergreen species as part of any scheme. The details shall include a specification of works indicating plant species, numbers, densities, locations, stock size and type. All works shall be carried out in accordance with the approved plans. The agreed scheme shall thereafter be completed within the first planting season following.

3. Soft Landscape Management Plan

Within two months from the date of the decision notice, a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local Planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

4. Restricted vehicle numbers

The total number of Heavy Goods Vehicles (HGV) shall be restricted to 12 vehicles (HGV articulated tractor units) and 16 trailer units that shall not be parked/stored outside of the compound as defined by the red line boundary on plan PRM/OH/01 (plan dated 13th December 2012).

5. No deliveries

Notwithstanding the existing operations at the site associated with the agricultural use of White House Farm, Sandy Lane West, Billingham, there shall be no deliveries other than diesel fuel to the site in connection with the Heavy Goods Vehicle operation that this permission relates.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

The use is considered to be acceptable in principle in this specific instance, taking account of the provisions of the NPPF. It is considered that suitable development could be accommodated on the site that would not result in an adverse impact on the character of the surrounding area and poses no unacceptable harm to the amenity of neighbouring residents in terms of outlook, overlooking, overbearing and overshadowing, and noise disturbance as to warrant a refusal of the application. It is further considered that the proposed scheme would not lead to an adverse loss of highway or pedestrian safety. It is considered that, subject to the meeting of the requirements of conditions imposed, that the development accords with the relevant policies as set out below and that 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

Core Strategy Policy 2 (CS2): Sustainable Transport and Travel

Core Strategy Policy 3 (CS3): Sustainable Living

Core Strategy Policy 4 (CS4): Economic Regeneration

Core Strategy Policy 10 (CS10): Environmental Protection and Enhancement

National Planning Policy Framework

Informative 01; Planting Species

In accordance with Condition 03 of the decision notice (Condition 02 of the Committee Report), the required soft landscaping scheme shall consist of a 10m wide planting buffer to the south/south east of the compound. The buffer planting should be comprised of native plants such as alder, birch, hawthorn, hazel, oak and make provision for 30% evergreen species such as holly and Scots pine. All trees should be planted at 2m spacing.

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

P 13/0478/COU
116/12 22 Richmond Road, Stockton
Proposed change of use from dwelling house into a House of Multiple Occupation (HMO)

Members were informed that the above application had been withdrawn.

P 13/0364/FUL
117/12 42 Bonington Crescent, Billingham,
Erection of first floor extension to the side (over existing garage) and porch to the front.

Consideration was given to a report on planning application 13/0364/FUL - 42 Bonington Crescent, Billingham - Erection of first floor extension to the side (over existing garage) and porch to the front.

The application site was a two storey, detached dwelling located within the residential cul-de-sac of Bonington Crescent, Billingham, Stockton on Tees.

Planning permission was previously approved at the application site by the Planning Committee on 1st June 2007 for a revised application relating to a first floor extension to side, conversion of garage into habitable room and porch extension to the front (reference 07/1031/REV).

In accordance with the Council's Scheme of Delegation, the application is to be determined by the Planning Committee as the applicant is an employee of Stockton on Tees Borough Council and one letter of objection had been received from the occupiers of a neighbouring property to the rear of the site (No 14 Haydon Grove). The objection primarily related to the proposed first floor extension resulting in a loss of privacy between habitable rooms and garden areas.

The proposed development was considered to be of an appropriate scale, design and layout and achieved satisfactory spacing from surrounding properties and was not considered result in any unacceptable impacts on residential amenity. The proposed scheme was also considered to be acceptable in terms of highway safety and the proposal satisfies the principles of the National Planning Policy Framework and Adopted Core Strategy Policies CS3 and Saved Local Plan Policy HO12.

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 15 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 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.

An objector was in attendance at the meeting and was given the opportunity to make representation. The objector made the following comments:-

- * The development will cause a loss of light, space and amenity
- * There is already an extension on the property
- * There are only 3 in the family and it is a 4 bed house

Members were then given the opportunity to comment and ask questions on the application. One Member made the following comments:-

- * Sympathy for the objector
- * No other houses in the vicinity are as large as the proposed dwelling

A vote then took place and the application was approved.

RESOLVED that planning application 13/0364/FUL be approved subject to the following conditions and informatives below:-

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

Plan Reference Number	Date on Plan
SBC0001	13 February 2013
001	13 February 2013
002	13 February 2013

2. The external finishing materials shall match with those of the existing building.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

General Policy Conformity

The proposal has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents 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 proposals do not have an adverse impact on the existing dwelling or create incongruous features within the surrounding area. It is further considered that the proposal will not lead to an adverse loss of 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

Core Strategy Policy 3 (CS3): Sustainable Living
Local Plan Saved Policy HO12-Domestic Development

SPG2: Householder Extension Design Guide (2004)

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

P 118/12 13/0164/LA
St Francis of Assisi Church of England Primary School, Lowfields Avenue, Ingleby Barwick
Redevelopment of existing school including two storey extension, to convert 1 form entry school into 2 form entry system and additional Nursery, Reception, teaching, circulation, sanitary and kitchen facilities

Consideration was given to a report on planning application 13/0164/LA - St Francis of Assisi Church of England Primary School, Lowfields Avenue, Ingleby Barwick - Redevelopment of existing school including two storey extension, to convert 1 form entry school into 2 form entry system and additional Nursery, Reception, teaching, circulation, sanitary and kitchen facilities.

The application site was the St Francis of Assisi primary school within Ingleby Barwick and was situated to the south west of the Lowfields Avenue/Broom Hill Avenue roundabout. The school and associated playgrounds were located within the east of the site with the playing fields occupying the western area of the site. The site was largely surrounded by residential properties with only the western boundary of the site abutting a footpath and highway verge. The existing school was set out in a linear form across the eastern part of the site, forming a shallow, inverted v-shaped footprint and is predominately single storey.

Planning permission was sought for a two-storey extension to the side of the school, along with two small single storey extensions to the rear. The proposed extensions would allow the school to convert from a single form entry school into a two form entry system (two classes per year group).

The proposed extensions to the existing school were considered to be acceptable in principle and would not have any adverse impacts on the character of the area, the amenity of neighbouring residents or access and highway safety. As such the development accorded with the adopted development plan, guidance within the NPPF and the ministerial statements.

The application came before Members as the proposed development fell outside the scheme of delegation as the definition of 'minor development by the Council' required schemes over 500 sq.m to be considered by the Planning Committee.

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

With regard to publicity the surrounding residential properties were notified and the comment that was received was 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 requires in dealing with such an 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.

A vote took place and the application was approved.

RESOLVED that planning application 13/0164/LA 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
ARC/1249/20-21	30 January 2013
0093.ARC1215-20-10	23 January 2013
0093/ARC1215/20-22	23 January 2013
ARC/1249/90-05	23 January 2013
ARC/1249/90-03	23 January 2013
20-02	23 January 2013
ARC/1249/20-01	23 January 2013
27-01	23 January 2013
ARC/1249/90-02	30 January 2013
ARC/1249/90-01	23 January 2013
ARC/1249/90-04	23 January 2013

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 buildings 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 buildings.

Site and floor 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.

Soft landscaping works;

4. A detailed scheme for landscaping and tree and/or 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 and 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.

Landscape Maintenance;

5. Prior to the occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and be carried out in accordance with the approved schedule.

Hard landscape details;

6. Notwithstanding any description contained within this application, prior to the occupation of the hereby approved development full details of hard landscape 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 car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings and street furniture).

External lighting;

7. Details of all external lighting of the building and car park area, including the siting, colour and 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.

Open burning;

8. No waste products derived as a result of carrying out the construction 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.

Construction Activity;

9. No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00 a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).

Unexpected land contamination;

10. 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.

Travel Plan

11. Prior to the commencement of the hereby approved development, a detailed travel plan shall be submitted to and be approved in writing 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 full accordance with these agreed details.

Sustainable construction;

16. Details of a final scheme for the incorporation of sustainable construction methods to meet BREEAM assessment criteria or any other equivalent Building Regulation rating shall be submitted to and agreed in writing with the Local Planning Authority before development commences. The building shall be constructed in full accordance with the approved details.

INFORMATIVES

General policy conformity;

The proposal is considered to be visually acceptable and does not pose a significant risk to the amenity of neighbouring occupiers or highway 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 Policies;

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

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

Core Strategy Policy 6 (CS6) - Community Facilities

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

Travel Plan;

The Schools Travel Plan Co-ordinator is advised to contact the Council's Active Travel Officers, Jane Sinclair on (01642) 526712 or Jonathon Kibble on (01642) 526735 should they seek help and advise in preparing their updated School Travel Plan. It is advised that any such travel plan may wish to include

measures such as; promotion of Walk Once a Week; Increased provision covered/secure cycle and scooter parking; provision of separate secure staff cycle parking; the introduction of the Cycle to Work Scheme; and, provision of showers, changing facilities and lockers for those walking and cycling to the school.

- P
119/12**
- 1. Appeal TPO - Mrs P Oldham - 8 Prestwick Court Eaglescliffe - 12/2140/X - DISMISSED**
 - 2. Appeal - Mr Stuart Shearer - 3 Darlington Road Elton - 12/1697/FUL - DISMISSED**

RESOLVED that the appeals be noted.