

Planning Committee

A meeting of Planning Committee was held on Wednesday, 27th February, 2013.

Present: Cllr Robert Gibson(Chairman), Cllr Jim Beall, Cllr Carol Clark(Vice Cllr David Rose), Cllr Michael Clark(Vice Cllr Paul Kirton) Cllr Mark Chatburn, Cllr Gillian Corr, Cllr Eileen Johnson(Vice Cllr Mick Stoker) 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, S Grundy, R McGuckin, J Hutchcraft, K Campbell, C Snowdon(DNS); J Butcher and K Wannop(LDS).

Also in attendance: Applicants, agents, members of the public, Cllr Phil Dennis and Cllr Sylvia Walmsley.

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

P Evacuation Plans

97/12

The Evacuation Plan was noted.

P Declarations of Interest

98/12

Councillor Steve Walmsley declared a personal prejudicial interest in respect of agenda item 6 - 12/2800/FUL - Allensway / Tedder Avenue / Trenchard Avenue, Thornaby, Stockton on Tees - Extension of the existing Allensway road to the south to link in with Tedder Avenue to provide a second access to Thornaby Town Centre. The work will also include the widening of Tedder Avenue on the approach to Trenchard Avenue and incorporate a revised signalised junction arrangement. Construction of a cycleway link between Trenchard Avenue and the existing route adjacent to the Adult Training Centre as he chaired the steering group that proposed the link road. Councillor Walmsley withdrew from the meeting and left the room during consideration of the item.

P Minutes

99/12

The minutes of the meeting held on 5th February 2013 were confirmed and signed by the Chair as a correct record.

P 12/2877/FUL

100/12

**Former Tristar Neasham Site, Allensway, Thornaby
Erection of drive thru restaurant (Use Class A3/A5) and petrol filling station (Sui Generis) with ATM and associated access, servicing, parking and hard and soft landscaping**

Consideration was given to a report on planning application 12/2877/FUL Former Tristar Neasham Site, Allensway, Thornaby -Erection of drive thru restaurant (Use Class A3/A5) and petrol filling station (Sui Generis) with ATM and associated access, servicing, parking and hard and soft landscaping.

The application site was the former Tristar Neasham site that was situated on the corner of Mitchell Avenue and Allensway, Thornaby. The application site occupied a prominent location and was a 'gateway entrance' into Thornaby District Centre. It had been vacant for a number of years and at present was not an attractive entrance to Thornaby District Centre. The car park and commercial

premise that serve Thornaby Town Centre were to the west of the application site. While the residential properties that formed Standstead Way lie to the east of the site with their rear gardens forming the eastern boundary of the site.

Planning permission was sought for the creation of a new drive-thru restaurant and petrol filling station with retail shop. The proposed development also allowed for the provision of associated access into the site, parking and landscaping. It was intended that the proposed operators for the development would be McDonalds and ASDA.

The application site was an edge of centre site, located opposite to Thornaby District Centre. The proposed uses were considered to be appropriate for such a location and it was not considered that the proposed development would have any significant impacts on the vitality and viability of Thornaby District Centre. Whilst it was recognised that the proposed development would have impacts on the amenity of neighbouring residents, however, with adequate controls on the proposed development in terms of its hours of operation it was considered that adequate levels of residential amenity could be preserved. The proposed development was therefore recommended for approval subject to the receipt of an amended plan to provide sufficient landscaping on a prominent part of the site.

Consultees 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 received were detailed in the report. A total of 10 objections (including Petition with 139 signatures) had been received, 2 letters of support and 2 letters of general comment.

With regard to publicity 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 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 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 considered to be relevant to the consideration of the application were detailed within the report.

The proposed development was recommended for approval subject to the receipt of an amended plan to provide sufficient landscaping and the planning conditions set out within the report.

Members were provided with an update report that outlined that an amended plan had been received which provided sufficient space for appropriate landscaping and the scheme was now acceptable in this respect and would not have an adverse impact on the visual amenity of the area.

The Council's Environmental Health Officer had also requested that an additional informative be required to make the applicant aware that a Petroleum Licence would also need to be applied for and approved alongside any planning permission. An additional condition had also been requested by the Head of Technical Services in respect of a construction management plan.

All material planning considerations remained as set out within the original report.

The applicant, Ward Councillor Mrs Walmsley and objectors were given the opportunity to make representation.

The objector made the following comments:-

- * Development is too close to residential properties
- * Too close to schools
- * Enough eating establishments in the Town Centre
- * Anti-social behaviour
- * Litter
- * Vermin
- * Devalue property
- * Cooking smells
- * Assured previously that a McDonalds or other eating place would be allowed on the land
- * It is not promoting healthy eating

The applicant made the following comments:-

- * There had been several proposals for the site some of which received the planning permission they needed but the site had still not developed. If planning permission was received for this application the development would definitely take place.
- * Public consultation had been undertaken and the concerns that had been highlighted had been addressed.
- * The development would provide jobs for the local area.

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

- * The site was is an eyesore
- * Every available option has been explored for the site
- * The site was used by drug users, for anti social behaviour and travellers have used it
- * The development of the site will bring more confidence and more people to the town centre
- * The development will provide jobs to local people

- * Can a condition be attached with regard to delivery times
- * Any application for an extension of the hours in the future should be resisted
- * The applicant is self policing and ASB has not been a problem in other areas in the Borough

The Environmental Health Officer reported that if the applicant wanted to stay open past 11.00 p.m. it would have to be reported to Licensing and Planning.

Members discussed the deliveries to the buildings and agreed that a condition should be put on any approval limiting deliveries to more reasonable hours and not the full opening hours of 6.00am to 11.00pm.

A vote then took place and the application was approved.

RESOLVED that planning application 12/2877/FUL be approved subject to the receipt of an amended plan to allow for sufficient landscaping and subject conditions and informative(s) set out below;

Approved Plans

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

Plan Reference Number	Date on Plan
TRANSPORT STATEMENT	31 January 2013
NOISE IMPACT ASSESSMENT	31 January 2013
MCD/SCH/1002	7 December 2012
SBC0001	7 December 2012
4759_8696_0007	7 December 2012
4759_8696_0006	7 December 2012
4759_8696_0005	7 December 2012
SBC0002	7 December 2012
A1259/TH(PA)06 REV P1	7 December 2012
A1259/TH(PA)08 REV P1	7 December 2012
S0000150 REV 0	7 December 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).

Means of enclosure;

3. All means of enclosure (including barriers to proposed seating areas) associated with the development hereby approved shall be in accordance with a scheme to be first agreed with the Local Planning Authority before the development is occupied. Such means of enclosure as agreed shall be erected before the development hereby approved is first occupied and shall be retained for the life of the development.

Site and floor levels;

4. 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;

5. 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;

6. Prior to 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;

7. 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;

8. 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.

Fume extraction;

9. The fume extraction system shall be installed in full accordance with the submitted details (as detailed within the plasma clean extract 2100 technical information and drawing MCD/SCH/1002). The extraction system shall be installed before the development is brought into use and 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;

10. 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.

Noise attenuation measures:-

11. The hereby approved development shall be in full accordance with the recommendations and conclusions contained and outlined within the submitted apexacoustics noise impact assessment reports (number 3313.2, version A, dated 22nd November 2012 & number 3313.3, version A, dated 31st January 2013).

Construction Activity;

12. 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).

Cycle parking

13. 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.

Waste and recycling

14. Notwithstanding any information contained within this application full details of the Bin storage facilities and management of waste/recycling material shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied. The agreed management plan shall be implemented in accordance with the agreed details.

Car park management plan

15. A car park management plan to prevent parking not associated with the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall be carried out in accordance with the agreed details.

Travel Plan

16. Prior to the occupation of the development, a detailed travel plan shall be 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

17. 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.

Hours of operation – Petrol filling Station, ATM Machine and Self Service Pumps

18. The Petrol Filling Station Shop and the associated ATM machine and self service petrol pumps shall not be open for use outside of the hours of 0600 to 2300 hours Monday to Sunday.

Scheme for isolation / shutdown of the self service pumps

19. Notwithstanding any information submitted as part of this application, a detailed scheme identifying how the self service pumps shall be prevented from being available for use outside of the opening hours, shall be submitted to and agreed in writing with the Local Planning Authority. Such a scheme, shall wherever possible seek to use automated methods. Such controls shall be implemented in accordance with these details and be retained for the life of the development.

Roller shutter – ATM machine

20. Notwithstanding any details provided as part of the application, a roller shutter shall be installed over the ATM machine, details of which shall first be submitted and agreed in writing with the Local Planning Authority. The roller shutter shall be implemented in full accordance with these agreed details prior to the ATM machine becoming operational and shall be retained for the life of the development.

Roller shutter – ATM machine

21. The roller shutter over the ATM machine shall be fully closed outside the hours of 0600-2300 Monday to Sunday

Hours of operation – Drive-thru restaurant

22. The Drive-thru restaurant shall not be open for use outside of the hours of 0600 to 2300 hours Monday to Sunday.

Restaurant – Control of use

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

Removal of PD Rights - All Householder

24. Notwithstanding the provisions of classes A, B & C, of part 42 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) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary trolley parks or hardstanding areas be created without the written approval of the Local Planning Authority.

Construction Traffic management plan;

25. A 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.

Deliveries

26. No deliveries shall be made to either of the hereby approved buildings outside the hours of 7.00am and 10.00pm Monday to Sunday.

INFORMATIVES

General Policy Conformity;

The proposed development has been considered against the policies below and it is considered that the site is a suitable for a development of this nature given its uses and proximity to Thornaby District Centre. The development is considered to be visually acceptable, does not adversely effect the amenity of neighbouring occupiers, pose a significant risk to highway safety or adversely affect the vitality and viability of the defined retail centres and there are no other material considerations that indicate a decision should be otherwise.

Core strategy policies;

CS2 - Sustainable Transport and Travel

CS3 - Sustainable Living and Climate Change

CS5 - Town Centres

Saved Local plan policies;

Policy S2 – Retail and other town centre uses

Policy S13 – Major development opportunities within retail centres

Policy S14 – Use classes A3, A4 and A5 'Food and Drink'

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

Section 278 agreements;

The applicant shall enter into a S278 agreement and meet all costs for any amendments to the existing highway including the alterations to the roundabout and footways and resulting relocation of any street furniture (including street lighting columns).

Tree Planting;

If tree planting cannot be achieved in between the petrol station and the boundary wall of the residential properties it is suggested that the developer could offer the residents tree planting within their to soften views from their houses.

The Petrol Filling Station will also be subject to a Petroleum License application being approved by Stockton Borough Council's Environmental Health Department. There are concerns that Licensing requirements may require significant amendments to the site layout or include risk management control measures that impose not only on the petrol filling station but also on the restaurant which is jointly occupying the site. The applicant should be aware of these requirements and contact the Council's Petroleum Licensing Officer to discuss these matters further.

P 12/2800/FUL
101/12 Allensway/Tedder Avenue/Trenchard Avenue, Thornaby, Stockton on Tees
Extension of the existing Allensway road to the south to link in with
Tedder Avenue to provide a second access to Thornaby Town Centre.
The work will also include the widening of Tedder Avenue on the approach
to Trenchard Avenue and incorporate a revised signalised junction

arrangement. Construction of a cycleway link between Trenchard Avenue and the existing route adjacent to the Adult Training Centre.

Consideration was given to a report on planning application 12/2800/FUL that sought permission for the extension of the existing Allensway Road to the south to link in with Tedder Avenue to provide a second access to Thornaby Town Centre. The works would also include the widening of Tedder Avenue on the approach to Trenchard Avenue and incorporate a revised signalised junction arrangement. The scheme also included the construction of a cycleway link between Trenchard Avenue and the existing route adjacent to the Adult Training Centre.

Under the Council's Scheme of Delegation, the application was put forward for determination by the Planning Committee as the scheme did not constitute minor development.

The application site related to an area of land to the south of Thornaby town centre. Tedder Avenue was served / accessed by Trenchard Avenue. To the south of Tedder Avenue were residential properties with Northumbrian Water Limited (NWL) to the west and the Adult Training Centre to the north east. Residential properties within Leahope Court were present to the north east, adjacent to Allensway, with Asda supermarket beyond.

The main planning considerations with respect to the application were the impact on highway and pedestrian safety, the impact on the character and appearance of the surrounding area, the impact on the amenity of surrounding land users and the impact on existing landscape features.

The Head of Technical Services had raised no objections from a highway safety and access perspective. The Council's Landscape Officer had raised no objections to the loss of existing mature trees to facilitate the scheme, subject to a scheme for replacement tree planting. Final details of both hard and soft landscaping were secured by way of separate planning conditions.

Letters of support had been received from the Council's Development and Regeneration section, and Thornaby Town Council. 1 letter of objection had been received from the occupier of No 20 Leahope Court, commenting that the proposal would increase noise disturbance in the area. 1 letter of support had been received from the occupier of 40 Leahope Court.

The proposed development was considered to be of an appropriate scale, design and layout for its setting and achieves satisfactory spacing from surrounding properties and was therefore considered to not result in any unacceptable impacts on amenity associated with neighbouring land users. The proposed scheme was also considered to be acceptable in terms of highway safety with respect to the proposed access and parking had been made. The proposal satisfied the principles of the NPPF, and Core Strategy Policies CS2 and CS3 and therefore the proposals were considered acceptable. The application was therefore recommended for approval by the Planning Officer.

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 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 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 development was considered to be of an appropriate scale and design for its setting and achieves adequate spacing from surrounding properties and was therefore considered to not result in any unacceptable impacts on amenity associated with neighbouring land users. Adequate provision for access and parking had been made. In view of the above it was considered that the proposal accorded with Core Strategy Policies CS2 and CS3.

Ward Councillor Mrs Walmsley was in attendance at the meeting and outlined that the Ward Councillors had worked closely with the developer and the second access road had always been envisaged.

A vote then took place and the application was approved.

RESOLVED that planning application 12/2800/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
TS-D2-26-2-7	23 November 2012
TS-D2-26-2-4	23 November 2012
TS-D2-26-2-3	23 November 2012
TS/D2/26/2/5	23 November 2012

2. Hard landscaping

Notwithstanding the submitted information and prior to the proposed car parking areas, the extended access, cycleways, footpaths and any other areas of hardstanding being created, the proposed surfacing materials for the access roads, car parking and hardstanding areas within the site (as indicated on TS/D2/26/2/5, dated 23rd November 2012) and all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings shall be submitted to and approved in writing by the Local Planning Authority. Such details shall provide for the use of permeable materials or make provision to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and shall then be retained for the lifetime of the development hereby approved.

3. Soft Landscaping

Notwithstanding the submitted information and prior to the commencement of soft landscaping works, full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works for new tree planting, soft landscaping and grassed areas as indicated on plan TS/D2/26/2/5 (dated 23rd November 2012).

This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development.

4. Hours of construction

No construction / building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

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 proposed scheme does not lead to an adverse loss of amenity for existing and future occupiers of the existing properties or surrounding neighbouring residents in terms of outlook, overlooking, overbearing or overshadowing and noise disturbance. It is also considered that the proposal does not create significant incongruous features within the surrounding area. It is also considered that the proposal will not lead to a loss of highway safety or adversely affect landscaping features that are to be replaced as part of a landscaping scheme that has been ensured by a planning condition. 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
Core Strategy Policy 3 (CS3): Sustainable Living

National Planning Policy Framework.

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

**P 102/12 12/2867/LA Junction Farm Primary School, Butterfield Drive, Eaglescliffe
Various single storey extensions and remodelling of school including the provision of special educational needs facility, associated external works, new car park and extension to school playing field**

Consideration was given to a report on planning application 12/2867/LA that sought full planning permission for various single storey extensions including a new classroom block, and the provision of a new Special Education Needs facility and associated external works and a new car park to be accessed from Abbeyfield Drive.

There was an identified need to address rising pupil numbers in the locality and the proposed works were designed to address this issue.

One letter of objection had been received from The Abbeyfield Society at 1 Abbeyfield Drive which provided sheltered accommodation. The objection was on the grounds of increased traffic, loss of privacy, noise, devaluation of property.

The extensions would not bring the built development closer to the sheltered housing but the proposed car park and access would be adjacent to the building. The Environmental Health Unit had no objection to the application but required that a planning condition was imposed limiting the use of the car park be used with permission for occasional use outside the permitted hours. It would also be conditioned that buffer planting and an acoustic fence be installed along the boundary with 1 Abbeyfield Drive. It was considered that overall with the imposition of the conditions recommended, the impact of the development on this neighbouring use would not be significant.

The Head of Technical Services had requested an updated Travel Plan to mitigate the increase in students which should be in place prior to commencement of any works. An appropriate condition and informative was outlined within the report and it was considered that subject to this the development was acceptable in highway terms.

It was considered that due to the size and location of the developments there

would not be a significant detrimental impact on the amenity of neighbouring occupiers or the visual amenity of the area. The proposal was therefore considered to be in line with general planning policies set out on the Development Plan.

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 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 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 by outlining that overall the nature and scale of the development was considered to be acceptable and the parking provision and access is satisfactory. It was considered that the developments would not have any significant undue impact on the amenity of neighbouring occupiers and would not have a significant detrimental impact on the street scene or character of the area. The proposal was therefore considered to be in line with general planning policies set out on the Development Plan.

The application was therefore recommended for approval subject to the conditions contained within the report.

Ward Councillor Philip Dennis was in attendance at the meeting and outlined that there was a need for the extra space at the school but he had concerns about the travel plan and that it should be improved.

Members requested that the school be asked to consider staggered start times for the upper and lower school.

The Head of Technical Services outlined that there was some concern about the drop off area as the numbers would increase and something in the future may have to be developed.

A vote then took place and the application was approved.

RESOLVED that planning application 12/2867/LA 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
ARC1224-105 REV A	5 December 2012
ARC1224-100 REV A	5 December 2012
ARC1224-101 REV A	5 December 2012
ARC1224-102 REV A	5 December 2012
ARC1224-103 REV A	5 December 2012
ARC1224-104 REV A	5 December 2012

2. Notwithstanding the proposals detailed in the Design and Access Statement and/or the submitted plans no hard landscaping works (excluding base course for access roads and car park) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

3. Notwithstanding the proposals detailed in the Design and Access Statement and/or the submitted plans, prior to the commencement of soft landscaping works full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following: commencement of the development or agreed phases or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

4. Notwithstanding the proposals detailed in the Design and Access Statement / submitted plans, 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 or approved phases.

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 LPA 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

5. Notwithstanding the proposals detailed in the Design and Access Statement / submitted plans no development shall commence until a scheme for the protection of trees BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) - Operatives Handbook 19th November 2007 has been submitted to and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

6. Before the commencement of the development hereby permitted, a scheme for acoustic screening along the western boundary with No.1 Abbeyfield Drive shall be submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7. An updated School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The Travel Plan shall establish clear targets and procedures for monitoring and review of such targets, and any appropriate requisite infrastructure improvements and implementation timetable shall be agreed by the Local Planning Authority. The Travel Plan shall be implemented as approved.

8. Notwithstanding the proposals detailed in the Design and Access Statement and/or the submitted plans, prior to the commencement of the erection of any permanent fencing and/or access gates, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

9. Notwithstanding any description of the materials on the application construction of the external walls and roof shall not commence until precise details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

10. The use of the proposed car park shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working. Occasional use outside of these hours is permitted providing the Local Planning Authority is given prior written notice of the intention to use

the car park. This occasional use shall not exceed more than 12 times per calendar year.

11. All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the overall nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and is acceptable in terms of highway safety and there are no other material considerations, which indicate a decision, should be otherwise.

Stockton on Tees Local Plan Policy REC1 - Outdoor Playing Space
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
Supplementary Planning Document 3: Parking Provision for New Developments
National Planning Policy Framework

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

The School Travel Plan coordinator should liaise with the council's Active Travel Officer to prepare the updated School Travel Plan which shall include but not be limited to:

- surveys of current and preferred transport modes;
- the investigation of Park and Stride provision in conjunction with local businesses;
- the promotion of Walk Once a Week;
- the provision of a mix of covered secure cycle and scooter parking which should amount to 1 space per 5 students (maximum capacity);
- consideration should be given to a car parking management plan to include the provision of car-sharing spaces and associated car-share database for staff and a circular 'eligibility zone' centred on the School site should be specified, with staff whose home falls within the zone boundary only qualifying for a car parking permit if they can identify a real need. Those living outside the zone boundary would automatically qualify for a permit.
- the provision of separate secure staff cycle parking;
- introduction of the Cycle to Work Scheme,
- the provision of showers, changing facilities and lockers for those walking and cycling to the school should be considered;

The updated School Travel Plan shall be in place prior to the commencement of any works.

In order to protect all the existing trees on site worthy of retention sufficient space must be assigned for all site activities and indicated on a site plan. No

works will be allowed in the root protection area of any retained tree without agreement with the Local Planning Authority. Consideration needs to be given to following:

- a) Construction and /or Demolition zones
- b) Site access
- c) Location of site signage
- d) Material storage
- e) Parking for the duration of the works
- f) Space for temporary construction buildings (offices)
- g) Installation of underground services
- h) Grading and storage of soil
- i) Use of temporary fencing

The following works are not allowed under any circumstances:

No work shall commence until the approved Tree Protection Barriers are erected.

No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree.

No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree or within the Root Protection Zone.

No materials shall be stored or machinery or vehicles parked within the Root Protection Zone.

No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone.

No unauthorised trenches shall be dug within the Root Protection Zone.

No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

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

P 103/12 PLANNING PERFORMANCE

Consideration was given to a report on the performance of the Planning Department for the third quarter of 2012/2013.

DCLG 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 the Planning Department 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 to Members in 2012/13 along the lines that was already done, as CLG had indicated that they wished this particular reporting criteria to remain. The performance level for this year therefore remained at 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 2012.

Performance results achieved for the third quarter were 94.12% for major applications, 91.38% for minor and 96.25% for others, achieving above performance in all categories.

16 out of 17 major applications were determined within the 13 week target. The one major application which went over the target (12/0980/OUT) was an application for outline planning consent, with all matters reserved save for means of access, for residential development, community hall, public open space, outdoor recreational facilities and associated access arrangements and landscaping at Morley Carr Farm site in Yarm.

Members noted the performance report and acknowledged the hard work and dedication of Planning Staff and colleagues within other service areas to determine applications within the target periods and improve performance and the reputation of the Council.

RESOLVED that the report be noted.

P **Local Plan Steering Group - Minutes**
104/12

RESOLVED that the Local Plan Steering Group minutes from the meeting held on 30th October, 2012 be noted.

P **1. Appeal - Mr M Woodall - 375 Norton Road Stockton on Tees -**
105/12 **12/1549/ADV - DISMISSED**

RESOLVED that the appeals be noted.