

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 20th March, 2013.

**Present:** Cllr Robert Gibson (Chair); Cllr Derrick Brown (Vice Cllr Paul Kirton), Cllr Carol Clark (Vice Cllr Jim Beall), Cllr Michael Clark (Vice Cllr David Rose), Cllr Gillian Corr, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Ray McCall, Cllr Norma Stephenson O.B.E., Cllr Mick Stoker and Cllr Steve Walmsley.

**Officers:** C Straughan, B Jackson, P Shovlin, F Bage, I Robinson, T Raine, J Hutchcraft, K Campbell (DNS); J Butcher, P K Bell (LD).

**Also in attendance:** Objectors, Members of the public and Cllr Tina Large.

**Apologies:** Cllr Jim Beall, Cllr Mark Chatburn, Cllr Jean Kirby, Cllr Paul Kirton, Cllr David Rose and Cllr Andrew Sherris.

### **P Evacuation Plan**

**106/12**

The evacuation plan was noted.

### **P Declarations of Interest**

**107/12**

Councillor McCall declared a personal non prejudicial interest in respect of agenda item 5 - 13/0275/FUL- John Whitehead Park, The Causeway, Billingham - Application for erection and installation of a Multi use games area (MUGA) as he was the Chair of Billingham Town Council.

Councillor Stoker declared a personal non prejudicial interest in respect of agenda item 5 - 13/0275/FUL -John Whitehead Park, The Causeway, Billingham -Application for erection and installation of a Multi use games area (MUGA) as he was a member of Billingham Town Council.

### **P 13/0167/LBC**

**108/12**

**The Globe Theatre, 154 - 157 High Street, Stockton-on-Tees  
Listed Building Consent for the attachment of decorative netting to fascia**

Consideration was given to a report on planning application 13/0167/LBC - The Globe Theatre, 154 - 157 High Street, Stockton-on-Tees - Listed Building Consent for the attachment of decorative netting to fascia.

The application sought listed building consent for the attachment of decorative netting to the front fascia on the east elevation facing the High Street. Essentially a printed mesh building wrap, the graphics of the wrap would include images of well know acts to have played the Globe in it's hey day. The netting would be a building wrap, effectively a curtain secured by fixings to the rear parapet façade using steel straps.

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

Neighbours were notified by means of letter, site notice (expiry date 7th February) and press advert (expiry date 28th February) and the comments that had been received were detailed within the report.

With regard to planning policy Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provided that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

National Planning Policy Framework Paragraph 14 was at the heart of the National Planning Policy Framework and there was a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan - making and decision - taking.

For decision - taking this meant approving development proposals that accorded with the development without delay and where the development plan was absent, silent or relevant policies were out-of-date, granting permission unless:-

- \* any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- \* specific policies in this Framework indicate development should be restricted

The Planning Officer's report concluded that the works outlined were not considered to adversely impact on the significance of the listed building.

The application for listed building consent was considered to accord with the Planning (Listed Building and Conservation Areas) Act 1990 and NPPF in that the works would not adversely impact on the structure of the building, its setting or any features of special architectural or historic interest which it possesses.

RESOLVED that planning application 13/0167/LBC be approved subject to the following conditions and informative below:-

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

Plan Reference Number	Date on Plan
SBC0001	23 January 2013
SBC0002	23 January 2013
SBC0003	23 January 2013
SBC0004	23 January 2013
SBC0005	23 January 2013
SBC0006	23 January 2013

2. Notwithstanding the submitted details the decorative netting, diabond panels and vinyl graphics hereby approved shall be maintained in a safe, clean and tidy manner for the life of the development to the satisfaction of the Local Planning Authority

3. Following removal of the decorative netting and fixings any fixing points shall be made good to the satisfaction of the local planning authority.

## INFORMATIVE OF REASON FOR PLANNING APPROVAL

The proposal has been considered in line with the Planning Listed Buildings and Conservation Areas Act 1990 and the NPPF. It is considered that the scheme accords with the act and National Planning Policy Framework and will not have an adverse impact on the character appearance and significance of the grade II listed building and there are no other material planning considerations which indicate that a decision should be otherwise

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

**P 13/0275/FUL**  
**109/12 John Whitehead Park, The Causeway, Billingham**  
**Application for erection and installation of a Multi use games area (MUGA)**

Consideration was given to a report on planning application 13/0275/FUL a part-retrospective application that sought planning permission for the erection and installation of a Multi Use Games Area (MUGA) on a parcel of grassed / green space within John Whitehead Park. The scheme consisted of an approximately 27m x 20m surface with the steel and mesh enclosure to the MUGA itself measuring approximately 25m x 18m.

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 John Whitehead Park, located along The Causeway within central Billingham (north of the town centre). The proposal would be sited in the south east corner of the site, to the north of the existing tennis courts. Residential properties were located beyond the park boundaries to the north and to the east with two residential properties within the park itself.

Three letters of objection had been received, along with two letters of representation that highlighted a number of concerns. These objections and concerns included; the scheme would lead to anti social behaviour / crime / vandalism; adverse impact on car parking / traffic; impact on amenity and privacy including noise disturbance and impact on the drainage system / the site floods.

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

With regard to publicity neighbouring properties were notified of the application 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 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 that the proposed development was considered to be of an appropriate scale, design and layout for its setting and achieved satisfactory spacing from surrounding properties and was not considered to 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 NPPF, and Core Strategy Policies CS3 and CS6.

RESOLVED that planning application 13/0275/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
F/4861/1	7 February 2013
SBC0001	7 February 2013
SBC0002	7 February 2013
UDN2064	7 March 2013

2. The finishing materials / colour scheme and layout of the Multi Use Games Area hereby approved shall be constructed, laid out and completed in accordance with the approved plans.

3. 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.

#### INFORMATIVES

##### General Policy Conformity;

The part-retrospective scheme has been considered against the policies and documents identified below. It is considered that the principle of development is acceptable and that the scheme accords with these documents as the proposed scheme does not lead to an unacceptable loss of amenity for existing and future occupiers of the surrounding neighbouring properties in terms of outlook, overlooking, overbearing and noise disturbance. It is also considered that the proposal does not create an incongruous feature within the surrounding area or lead to an adverse impact on its character and appearance. It is also considered

that the proposal will not lead to a loss of highway safety and 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  
Core Strategy Policy 6 (CS6): Community Facilities

Open Space, Recreation and Landscaping Supplementary Planning Document (2009)

National Planning Policy Framework.

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

Surface Water and Sustainable Drainage Systems

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).

Surface water must be contained within the boundary of the site and must not cause any flooding to the Highway or properties.

**P 110/12 13/0231/OUT**  
**Land West of 365 to 371 Norton Road, Wesley Place, Norton**  
**Revised Application for Outline consent for 2 no. Semi-detached properties with incurtilage car parking and enclosed gardens to the rear**

Consideration was given to a report on planning application 13/0231/OUT - Land West of 365 to 371 Norton Road, Wesley Place, Norton - Revised Application for Outline consent for 2 no. Semi-detached properties with incurtilage car parking and enclosed gardens to the rear.

The application site was situated within the residential area of Norton and was accessed via Bolsover Road. The site was an area of open space that was predominately laid to grass with some hard surfacing abutting the eastern and southern boundaries to provide vehicular access to the neighbouring properties. The residential properties of Dorlcote Place were situated to the immediate south of the site, while the residential properties 365-373 Norton Road lay to the east. A small terrace of properties (No.'s 25-30 Bolsover Road) also lay to the west with the orientation of these properties facing north/south.

Outline planning permission was sought by the Head of Technical Services on behalf of the Council for the erection of 2 no. semi-detached properties with all matters reserved for future consideration. The design and access statement

outlined that the dwellings would be two storeys in height and have a maximum ridge height of approximately 7.5m.

The principle of residential development on the site was considered to be acceptable and although the final details over the layout and appearance of the proposed dwellings would be assessed at the reserved matters stage, it was considered that the proposed housing scheme could satisfactorily be accommodated on the site.

The application came to the Planning Committee for determination due to the number of objections that had been received and the nature of the proposal in accordance with the scheme of delegation.

The consultees that had been notified and the responses 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 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 that the application site was considered to be in a sustainable and suitable location for new housing provision and it was not considered that the proposal would have any significant impacts on the character of the area. Although the final details of the layout and appearance of the proposed dwellings would be judged at a future date, it was considered that the proposed housing scheme could satisfactorily accommodate the proposed dwellings on the site.

There were 2 objectors in attendance and they were given the opportunity to make representation. Their comments could be summarised as follows:-

- \* The development will lead to more parking problems

- \* If the new properties are built it will be more difficult or impossible to park in the existing car ports that are to the rear of the existing properties as they were

not built to the car parking standards that exist today

\* The existing sewer has been prone to collapse and this may happen again when heavy vehicles cross over it during construction

It was moved and seconded that the application be amended so that it only includes one property and not two. A vote took place and the amendment was not carried.

Members agreed that manoeuvring cars into existing car ports could be difficult for existing residents and therefore requested Officers look to see if it would be possible that the manoeuvring space be increased to 7 metres.

A vote then took place and the application was approved.

RESOLVED that planning application 13/0231/OUT be approved subject to the following conditions and informatives:-

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

Plan Reference Number	Date on Plan
WP/SK030 REV P1	30 January 2013
WP/SK031 REV P1	1 February 2013

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.

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.

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.

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).

6. Existing and proposed site levels; 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.

7. Any part of the development which is to be used for residential purposes shall achieve a minimum of Code Level 4 or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters and shall be agreed in writing with the Local Planning Authority before development commences and implemented in accordance with the approved details.

8. All means of enclosure 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.

9. 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.

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.

11. 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.

12. Notwithstanding the details submitted as part of this application, a minimum of 6 metres shall be provided for between the proposed development and the properties on Dorlcote Place to allow to these properties to manoeuvre into their garages and car ports.

13. The development hereby approved, shall be carried out in full accordance with the Council's Supplementary Planning Document 3: Parking Provision for Developments 2011.

14. Prior to commencement of the development hereby permitted, details of all cycle parking provision 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.

## 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 residential development and will not have an adverse impact on the character of the area, the amenity of the neighbouring occupiers or pose any significant dangers to highway safety 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  
CS11 - Planning Obligations

Saved Local plan policies;  
HO3 – Development on unallocated sites

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

Northumbrian Water – Presence of a water main  
The developer is made aware that Northumbrian Water has a water main that crosses the site and Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant's full cost and the developer should contact Peter Heppell of Northumbrian Water on 0191 4196650 to discuss the matter further.

- P**  
**1111/12**
- 1. Appeal - Mr T S Chahal - 72 Durham Road Stockton - 12/1401/FUL - DISMISSED**
  - 2. Enforcement Appeal Costs Decision - Mr & Mrs Hodgson - Land at Grove Stables Forest Lane Kirklevington - Both parties applied for costs. Both applications FAILED**

RESOLVED that the appeals be noted.