

# Planning Committee

A meeting of Planning Committee was held on Wednesday, 23rd October, 2013.

**Present:** Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Jim Beall, Cllr Mark Chatburn, Cllr Michael Clark(Vice Cllr Paul Kirton), Cllr Jean Kirby, Cllr Alan Lewis, Cllr Ken Lupton, Cllr David Rose, Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Steve Walmsley and Cllr David Wilburn.

**Officers:** C Straughan, S Grundy, A Glossop, P Shovlin, J Edmonds, J Nixon, J Hutchcraft, H Heward, D Moody(DNS), J Butcher, P Bell, S Whaley(L&D).

**Also in attendance:** Ward Cllr Paul Kirton.

**Apologies:** Cllr Paul Kirton.

## 1 **Declarations of Interest**

There were no declarations of interest.

## 2 **Minutes**

The minutes of the meetings which were held on the 11th September 2013 and the 2nd October 2013 were confirmed and signed by the Chair as a correct record.

## 3 **13/1629/FUL**

**1 - 43 Tarring Street, Stockton-on-Tees,  
Construction of 6.no infill dwellings between 15 and 29 Tarring Street and  
2.no new dwellings to the west of 22 Worthing Street and first floor rear  
extensions and window alterations to 17.no dwellings (from 3 - 43 Tarring  
Street and 22 Worthing Street)**

Consideration was given to a report on planning application 13/1629/FUL 1-43 Tarring Street, Stockton on Tees.

Planning permission was sought for the development of six infill houses between 15 and 29 Tarring Street, extensions to existing terraced properties between 1-43 Tarring Street and the erection of two semi-detached dwellings on Worthington Street. The proposal would not involve any alterations to current access roads or footpaths.

The application was previously considered at the Planning Committee on the 11th September. Members were minded to refuse the application on four grounds, these being, due to the lack of in-curtilage car parking, overdevelopment of the site, lack of sustainability and the resulting poor design and contravening the privacy guidance giving rise to unacceptable living conditions.

The Head of Planning Services and the Principal Solicitor reported at the meeting of the 11th September 2013, that if members were minded to refuse the application contrary to officer recommendation then the Planning protocol would be invoked. The application was therefore deferred as the protocol

required the application to be reported back to Planning Committee for further consideration.

Since the previous committee meeting the applicant had submitted revised plans. The alterations to the scheme included the following:-

- a) Lowering the roof height of the proposed extensions to the rear of properties by 0.5m.
- b) Removal of the proposed bedroom windows within the rear extension which members considered resulted in unacceptable impacts on privacy, although retaining the rear windows within the first floor extensions between 1 and 13 Tarring Street and the two semi-detached properties where there was reduced overlooking.
- c) Addition of an obscurely glazed bedroom window and a roof light on the north side of the first floor extensions of the infill houses and existing terraced properties between 1-43 Tarring Street.

There were 7 individual letters of objection and a petition of 79 signatures to the original scheme and a further 5 letters of objection had been received on the amended scheme.

In summary, the main objection comments related to the impact of the development in terms of overlooking and loss of light, the design of the development and the impact on the character of the street scene, the fact the development would divide communities, the impact in terms of the parking and emergency vehicle access to the street within the vicinity of the development and the development being different to that which was originally proposed a number of years ago.

The revised plans had resulted in additional objections being made which considered that the amendments would not alter the outlook of the properties, that extensions to properties would mean more tenants and increased parking problems with no parking provision proposed, that the reduction in the roof heights and removal of windows would not affect the fact that the scheme would block out light, would result in the loss of privacy and encourage anti-social behaviour. Residents considered that Compulsory Purchase Orders should be placed on these properties.

The design of the new houses was considered to mirror the existing properties within Tarring Street. The properties would increase from 2 to 3 beds and be provided / retain a rear yard. The design and scale of the properties and extensions were considered to generally fit in with the existing properties within the street scene. Whilst there was no on-site parking provided, there remained to be the opportunity for on street parking immediately to the front of the properties as was previously the case and as was the case for the remaining occupied terraces within the northern end of Tarring Street.

The principle of development was considered to accord with relevant policy as the site was designated as a brownfield site, within the core area and within the limits of development defined within the Stockton on Tees Local Plan. Both the in-fill terraced properties and the two new build semi-detached properties

proposed on Worthington Street were on areas of land which were previously used for housing.

In view of all these matters, the Council was required to consider each application submitted on their own individual merits and the proposal was in accordance with relevant planning policies taking into account relevant material planning considerations.

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

Neighbours had been notified by letter and Site Notice 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 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

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 proposal was considered to be in accordance with the provisions of the Core Strategy in relation to the principle of new housing development within the core urban area, being on a brownfield site and being within the limits of development.

While concerns had been raised by local residents in relation to the location of the dwellings and the design of the dwellings, the development was on previously developed land and provided a density and scale which was in keeping with the surroundings. The development was of a design and appearance which accorded with the character and appearance of the existing street scene. Sufficient amenity space would be provided for the residents of the terraced properties with the new semi-detached properties having separate rear gardens. Adequate access was provided from the existing road network as detailed within the report. It was considered therefore that there would be no undue impacts in terms of the privacy and amenity of the nearby residents and that the future occupants of the properties would have adequate privacy and amenity.

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

The Head of Housing was in attendance at the meeting in support of the proposal and addressed the Committee highlighting the following points:

- An overview of the original regeneration programme of the Housing site at Parkfield.
- The initial lengthy negotiations which had taken place due to the mixed tenure

on such a big site.

- That government funding was expected up to the period of 2018 to fulfil what was set out at the start of the regeneration programme, however in 2011 the Council had received unexpected news that as part of the national public sector cuts the resources the Council were to receive to complete the regeneration programme were ceasing and were left with no alternative but to remove the later phase(80 properties) from its proposed acquisition and demolition programme. The properties in question were the properties which directly adjoined the proposed planning application, Tarring Street.

- The subsequent improvement work offered via the Community Energy Saving Programme for the 80 properties.

- The approach to the Council by two separate parties seeking to develop the site – Tees Valley Housing and Jomast. Detailed discussions took place with Tees Valley who confirmed that the Jomast proposal did not adversely impact on their development plans and could assist them by enabling the Council to transfer the majority of the site over to them without the need to secure a Compulsory Purchase Order(CPO). If a CPO was required it could ultimately have had a negative impact on the Tees Valley redevelopment proposal.

- That the proposed planning application would bring significant further investment into the Tarring Street area of Stockton, and see the modernisation of existing housing stock to a standard that met modern housing demands and new build housing.

- Stockton Borough Council did not have a 'reserve option for the proposed site'. The site was key to the delivery of much needed new housing including affordable housing in the borough and as it was located next to the town centre formed part of the overall regeneration plan for central Stockton.

- The Council ensured that any subsequent land transfer would contain a clause to ensure development would be completed within an acceptable period of time.

- Reference was also made to the Council ran, voluntary landlord accreditation scheme for private rented properties in the Borough. It was explained that the landlord in question was a member of this voluntary scheme.

The Head of Housing asked that the Planning Committee approve the application which would enable significant inward investment (by two partners) into central Stockton as well as providing much needed additional housing, across a range of tenures.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:

- That Councillors had not embarked on a site visit which residents felt was essential to enable Members to fully appreciate their concerns and that relying on photographic evidence did not, highlight fully, the extent of their objections.

- The proposed extensions to the existing properties from 2 to 3 beds would invite multi occupancy which residents feared would turn into bed sits.

- Properties which were to be refurbished were considered eyesores and residents felt that Compulsory Purchase Orders(CPO's) should have been acquired by Stockton Council and the dwellings be demolished.
- Sitings of large numbers of rats, mice and pigeons had been witnessed by residents, which they felt should strengthen the argument to demolish the houses which were to be refurbished on Tarring Street.
- Concerns were raised in relation to Anti-Social Behaviour(ASB) in close proximity to the proposed site and objectors felt this would not improve with the current proposals.
- Residents expressed concerns over lack of parking facilities.

Cllr Kirton, Ward Councillor for Stockton Town Centre was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- Cllr Kirton asked that slide 21 be shown again to the Committee and asked that where there was currently a green play area indicated, that this be moved to where the current development was proposed. Cllr Kirton also asked for slide 15 to be shown again to members, which was showing an access road between Middleton Walk and Tarring Street. Cllr Kirton explained that this particular area was where much of the ASB took place and was the only access residents of Middleton Road had to their properties. Cllr Kirton recommended that Alleygates be considered between Middleton Walk and Tarring Street.
- Cllr Kirton proposed that the scheme be rejected.

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

- The houses should be demolished
- Residents views should be listened to
- Why was there a reluctance to have a site visit?
- Issues surrounding Anti-Social Behaviour was not a planning consideration as it was people not houses that created Anti-Social Behaviour
- The improvements since the last application of this proposal were minimal and although every empathy was with the residents, would reluctantly approve the application
- Regeneration of the site would allow people to move back in to homes
- The proposal would improve the area
- If the proposal did not go ahead then this could put affordable homes in jeopardy going forward
- Purely on planning grounds the application could not be refused

The Head of Planning responded in relation to the query raised about the lack of a site visit and explained to the Committee that if a site could be seen and assessed adequately enough from photographic evidence then there was no real value on site visits.

A vote then took place and the application was approved.

RESOLVED that planning application 13/1629/FUL 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
004_A	4 July 2013
020_B	11 July 2013
021_B	11 July 2013
022_B	11 July 2013
030_D	23 September 2013
031_D	23 September 2013
032_D	23 September 2013
033_D	23 September 2013
034_D	23 September 2013
035	23 September 2013

2 Materials

Notwithstanding the details hereby approved, no above ground development shall commence until full details of the external finishing materials for the buildings shall be submitted to and approved by the Local planning Authority

3 No burning waste

During the construction phase of the development there shall be no open burning of waste on the site.

4 Construction working hours

All construction operations including deliveries of materials to 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

Informative 1:

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

Informative 2:

Northern Gas Networks have advised that there may be apparatus in the area that may be at risk during construction works and should the planning application be approved we require the promoter of these works to contact us directly to discuss our requirements in details. Should diversionary works be required these will be fully chargeable. Contact details given are as follows; Sandra Collett, Network Records Assistant, 0845 6340508 (Option 6)

Informative 3:

Northumbrian Water have advised that three 225mm Public Sewers cross the site and is shown built over in the application. 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. We will be contacting the developer/agent to notify them of the build situation; however, for planning

purposes you should note that the presence of our assets could impact upon the layout of the scheme as it stands.

At this point Cllrs Mark Chatburn and Steven Walmsley left the meeting.

4

**13/2289/FUL**

**The Stables, Kirk Hill, Redmarshall**

**Application for erection of two storey extension.**

Consideration was given to planning application 13/2289/FUL, The Stables, Kirk Hill, Redmarshall for the erection of a two storey side extension.

Planning permission was sought for the erection of an extension to the side of a domestic dwelling. Permission for a similar extension had already been approved on appeal, albeit of a reduced scale to that now being proposed. The changes proposed between this application and that approved on appeal were a 3m increase in length, the alteration of window / door positions and the internal room layout. The height of the proposed extension matched that of the approved scheme.

Objections had been raised to the scheme from several local residents. Main objections related to there having been previous refusals at the site for similar developments and that the scheme represented an over development of the site.

There was a significant planning history to the site although the most recent decisions were the ones which had greatest influence on the consideration of the current proposal. In 2012, the Local Planning Authority refused an application which sought to change the use of agricultural land to the side of the property to residential curtilage and for a domestic extension to be built within that land. The council's decision was appealed and the Inspectorate gave permission for the change of use of the land and for the extension. Although earlier refusals existed for development at the site, the extant permission granted on appeal had established the principle for the change of use and property's extension, even though the scheme was contrary to Policy EN13 of the Local Plan due to it being out-with the development limits.

The works proposed by the application were considered to be of a scale and appearance which would be in keeping with the host property and were considered to not represent the over development of the site taking into account the extent of the increased curtilage. The extension was set away from nearby properties thereby limiting any detrimental impacts on the privacy or amenity of the occupiers of surrounding properties. In view of these matters it was considered that the proposal accords with saved Local Plan Policy H012 and Core Strategy Policy CS3(8).

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

Neighbours had been notified by letter and Site Notice 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 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 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

The proposal constituted development out-with the development limits for the village which was contrary to Local Plan Policy EN13, however the principle for extending the property into this area, which was now an extended residential curtilage, had been established on appeal. Following the allowances made within the recent appeal decision for the site, it was considered that the site was positioned sufficiently far away from neighbouring properties to prevent an undue impact on them and that the design and appearance of the extension was in keeping with the host property, being in accordance with the guidance of saved Local Plan Policy HO12 and Core Strategy Policy CS3(8). It was therefore recommended that the application be approved with conditions for the reasons specified above.

Members were presented with an update report which outlined additional comments which had been received from Redmarshall Parish Council. The Parish Council noted that the application had returned to the footprint of the layout considered by the Planning Inspector, which increased the potential occupancy above that of the original design. The property was served by a septic tank system and with the increase in occupancy of the property the Parish Council asked for confirmation that the system was sufficient for the potential number of residents and also that permeability tests had been undertaken on the soak-away outfall as required by the Building Regulations.

The comments had generally been considered within the main report. The scheme was considered to not increase the capacity for residents within the house beyond an approved scheme as there were no additional bedrooms to the extension approved on appeal. With regards to drainage, the provision of this was a matter which was controlled under Building Control Legislation and as such, did not require dealing with as part of this current determination.

The update report outlined that the application be determined in accordance with the recommendation within the main report.

Members were given the opportunity to make representation. Their comments could be summarised as follows:

- What had changed since the property had been refused during a planning application for an extension in 1998?



- Had an objection been received from the neighbouring property to the Stables?

The Planning Officer confirmed to the Committee that that the new extension application was completely screened by the original property and that there had been no objection from the neighbouring property.

A vote then took place and the application was approved.

RESOLVED that planning application 13/2289/FUL be approved subject to the following conditions and informatives;

**1 Time Period for Commencement**

The development hereby permitted shall begin no later than three years from the date of this decision.

**2 Approved Plans**

The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number, PP02, Date on Plan, 10 September 2013

**3 Limitation of Construction Working Hours**

Construction works shall not take place outside the hours of 08:00 to 18:00 on Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**Informative 1: National Planning Policy Framework**

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

**Informative 2: Removal of Spoil**

Any notable amount of spoil derived from the construction of the development should not be deposited elsewhere on the site without first checking whether planning permission would be required for such an operation (ground raising) and if necessary, obtaining the relevant approval.

**5**

**13/1063/REV**

**Allwyn, Darlington Road, Elton**

**Revised application for the extension and adaption of existing bungalow to two storey dwelling**

Consideration was given to planning application 13/1063/REV, Allwyn, Darlington Road, Elton. Revised application for the extension and adaptation of existing bungalow to a two storey dwelling.

Approval was sought for the extension and alteration of the property to create a two story dwelling which would comprise of a dormer bungalow design to the front with a two storey appearance to the rear. The proposal would include a lounge, kitchen, media room, boot room, laundry and study at ground floor with

four bedrooms and three en-suites at first floor level. The proposal also included an attached single storey garage which would be in line with the proposed rear elevation set back from the main front elevation by approximately 11.5 metres. The proposed pitched roof of the garage included solar panels attached to the existing roof slope to the front to maximise the solar exposure. The solar panels would be installed under permitted development rights. The existing detached garage serving the application site would be demolished in connection with this application.

The adjacent neighbouring property to the west was a Grade II listed farm house, Home farm House.

There were modern dwelling houses adjacent to the east and south of the application site comprising various designs.

Six objections had been received, including from a planning consultant on behalf of a neighbouring resident, and five from neighbouring residents largely on the grounds that owing to the size and scale of the proposal, and the inclusion of solar panels, it would appear out of keeping with the character and appearance of the surrounding area and would be detrimental to the setting of the adjacent listed building. Objectors also state that owing to the scale of the proposal and relation to the boundaries of the plot it would result in a detrimental impact upon the amenity of the neighbouring properties in terms of overlooking, loss of light and appearing overbearing.

Revised plans had been submitted to address concerns which included a reduction in the bulk of the proposal, incorporating a lower eaves and roof ridge height. The revised design also removed the element adjacent to the shared boundary with the listed building to the west to provide sufficient spacing to ensure the setting of the listed building was not adversely affected. As such the Council's Historic Buildings Officer was satisfied that the revised plans would not adversely affect the setting of the listed building and therefore raised no objections to the proposed development.

Therefore the proposal was in accordance with requirements of saved policy EN26 of the Local Plan and policy CS3 (8) of the adopted Core Strategy which required development to make a positive contribution to the local area.

It was considered that owing to the distance from the surrounding neighbouring properties and the relationship between the proposal and the windows serving the surrounding neighbouring 2 properties there was sufficient separation distance. However a condition was recommended to ensure windows in the side elevation facing towards Home Farm House were obscurely glazed to prevent overlooking. As such it was not considered that the proposal would result in a detrimental impact upon the amenity of the surrounding neighbouring properties in terms of overlooking, loss of light or appearing overbearing. Therefore the proposed development accords with saved policy HO12 of the Local plan.

Car parking was provided in accordance with Supplementary Planning Document 3 (SPD3): Car Parking for New Developments. Therefore the Head of Technical Services raised no objections to the proposal.

As such the proposed development was considered to be in accordance with saved policies HO12 and EN26 of the Local Plan and policy CS3 (8) of the

adopted Core Strategy and was recommended for approval subject to a condition relating to obscure glazing which was recommended accordingly.

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

Neighbours had been notified by letter and Site Notice 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 is 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 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

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

Members were presented with an update report which outlined an additional 8 representations in support of the application to that which had been detailed within the main report.

These representations of support were largely on the grounds that the existing property was out of keeping with the village to the detriment of the character and appearance of Elton. The letters of support stated that the proposed development would improve the appearance of the property and be in keeping with other properties within the village which included two storey properties.

The Planning Officers report concluded that the application be approved with conditions for the reasons specified within the main report.

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

- The current building was in desperate need of repair and improvement.
- He had worked closely with the planning department to make sure neighbours' concerns were kept to minimum.
- The large plot the house was currently on could comfortably accommodate the extension whilst keeping away from the neighbouring boundaries.

- That the groundfloor would be compliant with the Disability Discrimination Act(DDA) to accommodate a disabled parent.

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

- That the revised plans went someway to minimising concerns however there were still concerns to be raised
- The increase in the height of the current bungalow would have an impact on the light in the garden as his garden was only small and the loss of sunlight would affect the objector and his wife's living conditions
- The extension would affect the setting of the neighbouring property known as Home Farm which belonged to the objector
- That the proposal was not in keeping with the village scene due to the number of grade II listed buildings within the village
- Many of the buildings in the village had been finished in red brick and where other residents had extended properties, they had done so sympathetically
- The extension would triple the size of the existing bungalow
- The applicant instructed planning consultants when the objector and his wife were due to leave for a 3 month holiday

Members were given the opportunity to make representation. Their comments could be summarised as follows:

- This was not an extension but an additional house
- clarification was sought that the property was not to be used as a business

The applicant addressed the Committee and confirmed that the premises would not to be used as a business but as a family home.

A vote then took place and the application was approved.

RESOLVED that planning application 13/1063/REV 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

BP 5 September 2013

1 OF 5 B 5 September 2013

2 OF 5 B 5 September 2013

3 OF 5 B 5 September 2013

4 OF 5 B 5 September 2013

5 OF 5 B 5 September 2013

2 Construction of the external walls and roof shall not commence until 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.

3 The windows within at first floor level within the western elevation serving bedroom 3 and an en-suite hereby approved; shall be fixed and glazed with obscure glass, details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved glazing shall be installed before the building hereby permitted is brought into use and retained in perpetuity.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

The local planning authority has implemented the requirements of the National Planning Policy Framework.

Informative: the applicant should contact Direct Services regarding the construction of the new vehicle access.

6

#### **13/1956/FUL**

**Playing Field East Of Heaton Road, High Grange Avenue, Billingham  
Application for installation of a Multi Use Games Area in an area adjacent to the existing play area.**

Consideration was given to planning application 13/1956/FUL Playing Field East Of Heaton Road, High Grange Avenue, Billingham.

Planning Officers sought planning permission for the erection and installation of a Multi-Use Games Area (MUGA) on a parcel of grassed/green space within the playing field adjacent to high Grange Avenue, Billingham. The scheme consisted of an area approximately 27m x 18m with the steel and mesh enclosure to the MUGA to provide basketball hoop, football goal and cricket wickets.

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. In addition there had been six objections received from neighbouring residential properties largely on the grounds that there was an existing anti-social behaviour problem in the area that would exacerbate noise and disturbance for residents.

The proposed MUGA would be adjacent to the existing children's playground, located towards the south of the playing field towards High Grange Avenue. The closest residential property, which fronted on to Kelling Close, would be in excess of 40 metres from the proposal.

The proposed development was considered to be of an appropriate scale, design and layout for its setting, achieved satisfactory spacing from surrounding

properties and was not considered that it would result in any unacceptable impacts on residential amenity. The Police Crime Prevention Design Advisor confirmed that the Billingham Police Inspector was supportive of the MUGA. Additionally no objections were raised by Sport England or the Council's Head of Technical Services or the Environmental Health Unit.

The proposed scheme was considered to satisfy the principles of the NPPF, and Core Strategy Policies CS3, CS6 and CS10 and as such was recommended for approval.

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

Neighbours had been notified by letter and Site Notice 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 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 Jan 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority shall 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.

Planning Officers recommended that the application be Approved with Conditions for the reasons specified within the report.

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

- Billingham Town Council had discussed the proposal and was in full support of the application.
- The MUGA was in excess of 40metres of the nearest property
- Why was the new proposal not placed closer to the car park away from residents?

An Officer from Stockton Borough Council addressed the Committee and explained that there was already an existing play area on the site where the new proposal was to be situated.

A vote then took place and the application was approved.

RESOLVED that planning application 13/1956/FUL 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
SBC0001	7 August 2013
PL3638/5674/1	4 September 2013
UDL_2035_02 C	5 August 2013

2. 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

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

#### SITE AND SURROUNDINGS

1 The application site is an area of land towards the south of an existing playing field which is a defined urban open space. The field also consists of two football pitches, a car park with changing facilities and a children's playground.

2 The site is bounded to the south by High Grange Avenue which is a busy highway, beyond which is a grassed area and residential properties. There are also residential properties adjacent to the north, east and west of the site. These neighbouring properties have garden areas adjoining the playing field. The boundary treatments which enclose the garden areas consist of a mix of fences and vegetation. The existing footpath adjacent to the edge of the field is illuminated by street lighting. There is also illumination for the existing children's playground provided by a lamp post.

At this point Cllr Andrew Sherris left the meeting.

## **7 DESIGNATION OF NEIGHBOURHOOD AREAS FOR WYNYARD AND EGGLESCLIFFE AND EAGLESCLIFFE**

Members were asked to consider, note and endorse the recommendations to Cabinet and Council, the contents of the attached report in relation to the designation of neighbourhood areas for Wynyard and Eggescliffe and Eaglescliffe.

The Head of Planning presented the Committee with the report and highlighted the following:

- The initial part of the procedure was to designate the parish boundaries however some parishes such as Grindon were not straight forward due to

having cross boundaries with neighbouring authorities. Elwick Parish Council had however expressed that they were happy for Grindon to be lead.

- Money had been put aside by central Government to help local authorities with the cost of the referendum.

- That the scheme of delegation be amended to delegate decision making to The Head of planning which would bring neighbourhood planning in line with Stockton Borough Councils own scheme of delegation.

Members asked how much involvement this would incur for members at Local Plan Steering Group or Planning Committee. The Head of Planning explained that they must comply with the adopted policies of the Local Authority and the Medium Term Financial Plan.

The report was noted and agreed.

RESOLVED that Members noted the contents of the report and endorsed the recommendation to Cabinet and Council to:

1. Designate the proposed Eggescliffe and Eaglescliffe Neighbourhood Area
2. Designate the proposed Wynyard Neighbourhood Area with minor alterations as detailed in Appendix 4 of the report
3. Approve the changes to the scheme of delegation as referred to in paragraphs 15 to 17 and detailed in Appendix 1 of the report.

## **8 PLANNING PERFORMANCE**

Consideration was given to a report that updated Members on the performance of the planning department for the second quarter of 2013/2014.

RESOLVED that the performance report be noted and 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 be acknowledged.

- 9 1. Appeal - Mr A.R.W Taylor - Red House School 36 The Green Norton - 12/2782/VARY - DISMISSED**
- 2. Appeal - Tiviot Way Investments Ltd - Land North of Low Lane Ingleby Barwick - 12/2517/OUT - ALLOWED WITH CONDITIONS**

RESOLVED that the appeals be noted.