

# Planning Committee

A meeting of Planning Committee was held on Wednesday, 4th December, 2013.

**Present:** Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Jim Beall, Cllr Michael Clark(Vice Cllr Paul Kirton), Cllr Phillip Dennis, 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, Cllr David Wilburn

**Officers:** Joanne Hutchcraft, Barry Jackson, Peter Shovlin, Colin Snowdon, Carol Straughan(DNS), Julie Butcher, Jenna McDonald, Sarah Whaley(LD)

**Also in attendance:**

**Apologies:** Cllr Paul Kirton

## **P       Declarations of Interest**

**79/13**

Cllr Steve Walmsley declared a personnel non prejudicial interest as the applicant for planning application 13/2508/COU 82 Victoria Road, Thornaby, Stockton-on-Tees was known to him. Cllr Walmsley spoke on the item but did not vote.

## **P       Minutes from the meeting which was held on the 23rd October 2013,**

**80/13**

The minutes of the meeting which was held on the 23rd October 2013 were confirmed and signed by the Chair as a correct record.

## **P       12/1762/VARY**

**81/13**

**Land West Of Stillington, Stockton on Tees  
Erection of 4 No. wind turbines (max. height 125m) and associated  
infrastructure to include anemometer masts, access roads, crane pads,  
control building, substation and temporary construction compound**

Members were informed that planning application 12/1762/VARY Land West of Stillington, Stockton on Tees had been withdrawn by the client.

## **P       13/2508/COU**

**82/13**

**82 Victoria Road, Thornaby, Stockton-on-Tees  
Retrospective application for change of use from Storage (B8 Use Class)  
to Car repair (B2 Use Class)**

Consideration was given to a report on planning application 13/2508/COU 82 Victoria Road, Thornaby, Stockton-on-Tees

The retrospective application sought planning permission for a change of use from storage (B8 Use Class) to a car repair use (B2 Use Class). As part of the scheme no external alterations were proposed. The submitted application form indicated that the business employed 1 full time employee and that the use would operate between 0800-1800 hours weekdays and 0800-1500 hours on Saturdays.

The application site related to a semi-detached warehouse (approximately 85sqm in area) building located along Victoria Road, Thornaby. The established

single storey building was adjoined to No 84 Victoria Road which included a shop and a flat.

The Head of Technical Services did not consider there were sufficient grounds to object to the scheme on highway safety grounds, subject to a planning condition to ensure all business use was confined to within the boundary of the site and was contained in the recommendation.

No objections had been received from the Environmental Health Unit who had recommended conditions relating to hours of operation, details of noise insulation and fume/odour control, waste oil and use of solvents which were recommended accordingly.

Councillor Stephen Walmsley supported the application.

6 letters of objection had been received from neighbouring properties, which were summarised as the use being inappropriate for the residential area; property devaluation and loss of business; impact on amenity and impact on highway and pedestrian safety.

Subject to the imposition of the identified relevant planning conditions, the scheme was considered to accord with the general principles of the National Planning Policy Framework and accorded with the principles of sustainable development. The scheme as proposed is not considered to have an adverse impact on the character and appearance of the area or lead to an unacceptable loss of amenity for neighbouring land users. It was considered that the scheme would not have an adverse impact on highway safety.

The application was recommended for approval accordingly.

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

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 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 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 scheme was considered to accord with the general principles of the NPPF as the scheme was considered to accord with the principles of sustainable development. The scheme was not considered to have an adverse impact on the character and appearance of the area or lead to an unacceptable loss of amenity for neighbouring land users or highway safety subject to compliance with the recommended planning conditions.

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

A vote then took place and the application was approved.

RESOLVED that the planning application 13/2508/COU be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date on Plan
SBC0001	3 October 2013

02. Noise Insulation and fume/odour control

Within two months from the date of the decision notice, the premises to which this permission relates shall be insulated against the emission of noise, odours and fumes in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of both noise insulation measures and a ventilation and fume extraction system, including a full technical specification by a suitably qualified technical professional person, specifying the position of any ventilation, fume or flue outlet points to prevent odour or fume nuisance and to allow satisfactory ventilation to the building.

The agreed scheme shall be implemented within two months of the written agreement from the Local Planning Authority and be maintained in perpetuity.

Conditions to be Implemented

03. Waste oil

Should it be necessary to drain off sump oil, gearbox oil, hydraulic fluids and battery acids, all of this shall be carried out on a bonded impervious area which is to be drained into an interceptor constructed to retain all such fluids until removed by a licensed waste transport carrier.

Conditions which will remain in perpetuity

04. Restriction of use

Notwithstanding the provisions of the Town and Country Planning Use Classes

Order (General Permitted Development) Order 2013 (or any order revoking and re-enacting that order), the development hereby approved shall be used as a car repair use only (B2 use Class) and for no other use within Use Class B2 and the unit shall not be sub-divided.

#### 05. Works inside building only

The car repair use hereby approved shall be confined to the building known as 82 Victoria Road only and no works shall take place outside of the building or on the adjacent highway.

#### 06. Operating Hours

The building shall not be used for the repair of vehicles and no machinery shall be operated within and 0800-1500 hours on Saturdays and no working shall take place on Sundays or Bank the building or deliveries taken outside the hours of 0800- 1800 hours Monday to Friday Holidays.

07. All customer vehicles which have been left with or are in the control of the operator of the site or are brought to the site for the purposes for which the approval is granted and all vehicles owned, used or controlled by the operator of the site and its employees shall be kept within the building to which this permission applies at all times

#### 08. Use of solvents

There shall be no engine cleaning using solvents used on site unless a system has first been submitted to and approved by the Local Planning Authority.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

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

**P**            **13/2609/FUL**  
**83/13**      **Mount Pleasant, Stillington,**  
              **Proposed Multi Use Games Area (MUGA) and associated fencing**

Consideration was given to a report on planning application 13/2609/FUL Mount Pleasant, Stillington,

The application sought planning permission for the erection and installation of a Multi-Use Games Area (MUGA) on a parcel of grassed area within the open space adjacent Mount Pleasant Grove and Mount Pleasant Walk, Stillington. The scheme comprised an area of approximately 25m x 18m with a steel and mesh enclosure to the MUGA to provide basketball hoops, football goals 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.

The proposed MUGA would be located away from residential properties that bound the site and the closest residential property was situated approximately 50 metres from the proposed location.

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 proposed scheme was considered to satisfy the National Planning Policy Framework and the Adopted Stockton on Tees Core Strategy Policies CS3, CS6 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 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 Stockton on Tees 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

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

A vote then took place and the application was approved.

RESOLVED that the planning application 13/2609/FUL be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date on Plan
SBC0001	22 October 2013
PL3638/5674/1	15 October 2013
SBC0002	22 October 2013

## INFORMATIVE

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