

Planning Committee

A meeting of Planning Committee was held on Wednesday, 26th February, 2014.

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 Ken Lupton, Cllr Maureen Rigg(Vice Cllr Alan Lewis), Cllr David Rose, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Steve Walmsley, Cllr David Wilburn

Officers: Simon Grundy, Barry Jackson, Richard McGuckin, Peter Shovlin, Colin Snowdon, Carol Straughan(DNS), Julie Butcher, Jenna McDonald, Sarah Whaley(LD)

Also in attendance: Applicants, Agents, Members of the Public.

Apologies: Cllr Paul Kirton, Cllr Alan Lewis, Cllr Andrew Sherris,

P Evacuation Procedure.

107/13

The Evacuation procedure was noted.

P Declarations of Interest

108/13

Councillor Gillian Corr and Councillor Jean Kirby declared a personal interest in relation to item no.4 13/3107/OUT Land at Little Maltby Farm, Low Lane, Ingleby Barwick as both Cllr Corr and Cllr Kirby were members of Ingleby Barwick Town Council. The item in question had been the subject of discussion at a recent meeting of Ingleby Barwick Town Council. Cllrs Corr and Kirby were not present at that particular meeting.

Councillor Bob Gibson and Councillor Norma Stephenson declared a personal interest in item no.6 14/0093/FUL Billingham Community Centre The Causeway, Billingham Proposed new public car park with associated landscaping, lighting, CCTV installation and new widened vehicular access and footpath from The Causeway as both Councillors were board members of Tristar who were part of the Vela group which had links with the application. Councillors Gibson and Stephenson did not vote on the item.

P Minutes

109/13

The minutes from the meeting which was held on the 15th January 2014 were confirmed and signed by the Chair as a correct record.

P 13/3107/OUT

110/13

**Land at Little Maltby Farm, Low Lane, Ingleby Barwick
Outline application for residential development of up to 550 dwellings,
local centre up to 2500m² and means of access**

Consideration was given to a report on planning application 13/3107/OUT Land at Little Maltby Farm, Low Lane, Ingleby Barwick.

Outline planning was sought for a residential development of up to 550 dwellings, local centre up to 2500m² and means of access.

The application site lay to the south-east of the existing settlement of Ingleby

Barwick and was currently a series of open fields bounded by hedgerows. The residential properties of Regency Park and Priorwood Gardens bound the site to the west and north-west respectively.

Members would be aware that a recent planning application was submitted and refused by the Planning Committee for outline planning permission for the erection of Ingleby Manor Free School and a residential development of 350 dwellings (ref; 12/2517/OUT which lay adjacent to this site. The appeal was heard at a public inquiry with the Secretary of State recovering the decision and allowing the appeal.

At this moment in time, the Council was not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added, therefore the Council's housing supply policies were out of date and the scheme had to be considered against those policies of the National Planning Policy Framework (NPPF). As set out within the report the benefits of the application were that it would boost significantly the supply of housing including affordable housing provision and contribute to achieving economic growth through investment and job creation.

Whilst developing that part of the Green Wedge for housing would be contrary to policies CS3 and CS10 of the Core Strategy as well as Saved Local Plan Policy HO3, it was not considered that the harm associated with this development was so significant that it outweighed the benefits of boosting the supply of housing land to address the current shortfall in the 5 year supply, the provision of affordable housing and the associated economic benefits.

Notwithstanding this, issues remained with the current proposal given that insufficient information had been provided to satisfactorily demonstrate that the proposed development would not adversely impact on highway safety or features of archaeological interest. Whilst the applicant may be working towards addressing those matters, at that moment in time there was insufficient information available to overcome those matters at present. Therefore the application was recommended for refusal as outlined within the report.

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 given that the Council was not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added, in such circumstances the NPPF made it clear that those relevant policies for the supply of housing could not be considered up to date. Accordingly planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

As set out within the report the benefits of the application boosted significantly the supply of housing including affordable housing provision and contribute to achieving economic growth through investment and job creation. Whilst developing that part of the Green Wedge for housing would be contrary to policies CS3 and CS10 of the Core Strategy as well as Saved Local Plan Policy HO3. The Inspector's Report to the Secretary of State for the free school and housing appeal decision considered these impacts (to the role and function of the green wedge, the character and appearance of the area and recreational opportunities) and concluded that there was limited harm and that the benefits associated with that development were sufficient to outweigh the conflicts with the development plan. As set out earlier in the report it was not considered that the harm associated with this development was so significant that it outweighed the benefits of boosting the supply of housing land to address the current shortfall in the 5 year supply, the provision of affordable housing and the associated economic benefits.

Notwithstanding the above conclusions, issues remained with the current proposals given that insufficient information had been provided to satisfactorily demonstrate that the proposed development would not adversely impact on highway safety or features of archaeological interest. Whilst the applicant could be working towards addressing those matters, at this moment in time there was insufficient information available to overcome those matters and enable a favourable decision to be made. Consequently the application was recommended for refusal.

Members were presented with an update report which, since the original report to members of the planning committee detailed additional comments which had been received from local ward councillors and also additional objections which had been received from members of the public. The additional comments which were detailed within the update report did not raise any new issues. Therefore the material planning considerations remained as set out within the original report and the recommendation remained unchanged.

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

- That 1400 houses had been proposed in Ingleby Barwick adjacent to Low Lane.

- Since the Secretary of State had allowed an appeal for Ingleby Manor Free School and 350 houses adjacent to the proposed site in Ingleby Barwick the floodgates had opened for additional developments.
- The land that the proposed development was on was green wedge.
- Residents had bought houses in Ingleby Barwick with the view that the green wedge was to stay providing open land and circular walks.
- Ingleby Barwick was creaking at the seams.
- Getting from one side of Ingleby Barwick to the other was currently taking between 20 and 30 minutes.
- If this proposal was approved, Ingleby Barwick would be grid locked.
- Residents from Maltby had expressed concern in relation to how the development would affect the highways.
- A new junior school would be required if the development went ahead.
- There were not enough community facilities such as doctors and dentists available.
- A petition had been launched to support the prevention of this application. 300 hundred signatures had already been gained.
- Residents had to deal with the onslaught of developers cashing in.
- All development/planning must be sustainable, how was this a sustainable development with outstanding highway/traffic issues still not determined.
- Getting in and out of Ingleby Barwick was currently a struggle by car at 8.45am; additional homes would only make this journey impossible.
- If a free school was needed to prevent the current children from Ingleby Barwick being bussed off, why were there proposals to build more houses?
- The need for education and highway improvements should far outweigh the need for affordable housing.

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

- There was flimsy provision for education and zero provision regards highway improvement, therefore would vote against the application.
- It was about time to make a stand against the additional houses as the infrastructure would not cope.
- Those who were implementing the traffic models to determine whether a development could cope with current highway systems were not the ones driving on the roads and experiencing the difficulties.

- There were far too many outstanding issues which had not been addressed such as issues surrounding school places/free school, open spaces. On the whole it was a poor application.

- When the Secretary of State overturned the decision of the Planning Committee for the application of the free school plus residential development, great weight had been put on the fact that the school was a big part of the application. The weight however had shifted in relation to this proposal for additional housing as this proposal was not linked to the free school and therefore should be refused.

- The residential part of the development was now nearly twice the size of the original.

- An additional reason needed to be included to add weight to the refusal such as the fact that it was contrary to policies on greenwedge. Biodiversity of the greenwedge would be lost.

Members agreed to include the following additional reason for refusal as set out below:

In the opinion of the Local Planning Authority the proposed development would have a negative impact on important environmental assets, biodiversity and the quality of the urban environment and leave insufficient green wedge to adequately maintain the separation between Ingleby Barwick and Thornaby contrary to the policies CS3 (8) and CS10 (3) and (4) of the Adopted Stockton on Tees Core Strategy

A vote then took place and the application was refused.

RESOLVED that planning application 13/3107/OUT be refused for the reasons set out below with an additional reason detailed at point 3;

Highway Safety:

1. The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on highway safety and the free flow of traffic to both the Local and Strategic Highway Networks or that the impact could be satisfactorily mitigated to the reasonable satisfaction of the Local Planning Authority and is therefore contrary to guidance within policy CS2 of the Core Strategy (1&2) and paragraph 32 of the National Planning Policy Framework (NPPF).

Archaeological Features:

2. The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on features of archaeological interest or that the impact could be satisfactorily mitigated to the reasonable satisfaction of the Local Planning Authority and is therefore contrary to guidance within saved policy EN30 of the Local Plan and paragraph 128 the National Planning Policy Framework (NPPF).

3. In the opinion of the Local Planning Authority the proposed development would have a negative impact on important environmental assets, biodiversity

and the quality of the urban environment and leave insufficient green wedge to adequately maintain the separation between Ingleby Barwick and Thornaby contrary to the policies CS3 (8) and CS10 (3) and (4) of the Adopted Stockton on Tees Core Strategy

INFORMATIVE OF REASON FOR PLANNING APPROVAL

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

P 1111/13 13/2626/REM
Land at Sandview and Sandgate The Rings, Ingleby Barwick
Application for reserved matters approval (access, appearance, landscaping, layout and scale) for the erection of 180.no dwellings

Consideration was given to a report on planning application 13/2626/REM Land at Sandview and Sandgate The Rings, Ingleby Barwick.

Planning permission was sought for reserved matters approval for two residential developments, Sandgate and Sandview in Village 6, Ingleby Barwick. Both developments comprised of a total of 180 dwellings with a mixture of 2, 2.5 and 3 storey, semi-detached and detached dwellings.

The Sandgate development would comprise of 93 dwellings. This site was located to the north-west of the roundabout between Myton Way and The Rings. Access to the site would be from The Rings. The Sandgate development included a 1200m² area of land which had been set aside for a potential community centre, while to the west and to the south-east was an area of land which had been identified for future shops and a public house.

The Sandview development would comprise of 87 dwellings and would be located to the south of Barwick Lane and the Ashbrook estate and to the north of the previously approved Sandhill development. The approved development brief for Village 6 included the existing Barwick Lane Farm track to be located through the residential roads before linking back into the 'green lane' pedestrian and cycle route at the western end of the development.

The layout of both developments followed the principles set out in the approved development brief and the principles set out in Government Guidance 'Manual for Streets' (MfS) which included providing active frontages on roads, provision of build outs, varying surface treatments and the inclusion of trees along the highway.

There had been 7 letters of objection and two general comments received on the application.

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 proposed development was on an area of land that already had the benefit of an extant outline planning permission for residential development approved in 1979 and therefore the principle of development in this location had been established. Both housing developments had been designed in accordance with the guidance set out within the National Planning Policy Framework, Saved Core Strategy Policies CS2, CS3, CS6, CS7, CS8, CS10 and CS11 and saved local plan policies HO1 and HO13.

Furthermore the proposed development was not considered to have any significant impacts on the character of the area or the amenity of residents with the proposed housing design for both estates being in-line with previous housing developments within Ingleby Barwick along with the provision of acceptable landscaping both internally within the sites and around the surrounding site boundaries.

In terms of highway safety, the applicant had provided the required parking provision within both sites and had ensured that within the Sandview housing development the main farm access had been provided, with an additional farm access being provided for the larger farm vehicles along the bridleway to the north of the Sandview development.

Further consideration had been given for the long term management of the Dene area to the south of the Sandview development along with the maintenance of the public open space area within the housing developments with a section 106 agreement to be entered into between the applicant and the Council.

The proposed development was therefore considered to accord with the relevant local and national planning guidance and it was recommended that planning consent be granted with conditions for the reasons specified above.

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

- A family business was in operation within close proximity of the proposed development and with the help of Stockton Borough Councils Technical Services, agreement had been reached in relation to access to the farm through the new development of 1.5 metres.

- It was felt that the road to the farm should not be referred to as a bridleway as this could cause confusion. The width was currently showing as 3 metres however it was stated that the road should be between 4 - 4.5 metres.

- It was felt that two passing places on the access road were not considered enough.

- There appeared to be only 4 metres between the houses however it was believed that there should be 4.5 - 5 metres between them.

- There was confusion in relation to a moveable bollard as to what this was and how would it work?

- Signs were required highlighting access to and from the farm.

Officers informed the objector of the following points:

- Access through the proposed development which would serve the farm and residents would be 5.5 metres wide.

- Existing access would be used as a bridleway and was for public and farm use. This was expected to have limited use and would be 3.5 metres wide.

- Farm vehicles would use the access through the proposed estate and the two provided passing places were sufficient as the access would be used on an occasional basis. If additional passing places were required then this would be a matter for the owner of the farm and the developer to resolve.

- The bollard was to stop the public using the back access which was intended for residents only.

- The bridleway would not restrict the use of heavy vehicles.

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

- There was no reference that the development was 'secure by design, had this suggestion been taken up with the applicant?

- Was the bridleway/farm access a public right of way as this would have been preferable for heavy vehicle use rather than the access through the estate.

- There was still outstanding issues' surrounding the provision of affordable housing as there was no indication within the application of when and where this would be provided. Would there be a 30% provision of the 2nd phase or a 15% provision of the full development?

Officers informed the Planning Committee of the following points:

- The bridleway was not a public right of way and that the bridleway was to become part of the green way to allow residents pedestrian access to enjoy the green areas of Ingleby Barwick and the River Tees. It would also remain in private ownership with links onto public rights of way.

- Officers informed the Planning Committee that affordable housing had been secured on the Sandhill Site. The application site was originally part of the outline consent which was given in the 1970's when affordable housing did not have to be provided, the developer however had agreed to provide affordable housing in respect of the Sandhill approval which was a new site outside the 1970's red line boundary and the units would be provided on two sites with phase 1 already having been provided.

A vote then took place and the application was approved.

RESOLVED that planning application 13/2626/REM to be approved with the conditions set out below and subject to the completion of Section 106 agreement in line with the Heads of Terms identified within this report.

Approved plans;

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

Plan Reference Number

SG-002	Date on Plan
16 October 2013	
SVG-00	12 February 2014
SV-002 REV A	12 February 2014
HD-WD01	16 October 2013
NT-WD01	16 October 2013
CF-WD01	16 October 2013
CDC-WD01	16 October 2013
RF-WD01	16 October 2013
MS-WD01	16 October 2013
SU-WD01	16 October 2013
SGD-04	16 October 2013
SGD-01 REV B	16 October 2013
EL-WD01	16 October 2013
SGD-02	16 October 2013
CCA-WD01	16 October 2013
CD-WD01	16 October 2013
HT-WD01	16 October 2013
RS-WD01	16 October 2013
WS-WD01	16 October 2013
HTC-WD01	21 October 2013
SGVE-001	21 October 2013
GF-WD01	21 October 2013
SV-001 REV G	12 February 2014
SG-001 REV B	20 January 2014
SG-003 REV A	
SV-003 REV A	
SV-BW-001 REV A	19 December 2013

19 December 2013
20 January 2014
c-1107-02
c-1107-03
c-1107-04
c-1107-05 5 February 2014
5 February 2014
5 February 2014
5 February 2014
c-1107-01 5 February 2014

•Conditions to be discharged prior to commencement

Means of Enclosure;

02 All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development is commenced. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

Existing and proposed site levels;

03 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.

Construction compounds and car park areas;

04 Prior to commencement of the development details of site compounds and temporary car parking for construction workers, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Traffic management plan;

05 A traffic management plan for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such a scheme shall include routes 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 agreed details.

Surface Water Drainage

06 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Foul Drainage

07 Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved by the Local Planning Authority. Thereafter the development shall

take place in accordance with the approved details.

NPPF.

Lighting

08 Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans full details of the method of external illumination, siting, angle of alignment; light colour, luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of external lighting and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

- Conditions to be discharged prior to occupation

Noise disturbance from adjacent road traffic

09 Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

- Conditions to be implemented

Materials

10 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).

- Conditions which will remain in perpetuity

Construction Activity.

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.

Unexpected land contamination

12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Burning of Waste Products

13 No waste products derived as a result of carrying out the construction hereby approved shall be burned on the site.

Access:

14 Notwithstanding any description contained as part of this application all construction traffic associated with this development shall utilise the southern

access (Sandgate roundabout/junction with Myton Way) to The Rings.

Noise protection - Road traffic

15 Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

Removal of PD Rights - All Householder

16 Notwithstanding the provisions of classes A, B, C, D & E of Part 1 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) (No.2) (England) Order 2008 (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 buildings or means of enclosure erected within the curtilage without the prior approval of the Local Planning Authority.

Removal of PD Rights – Garage Conversions

17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order), no integral garages shall be converted into part of the house without the prior approval of the Local Planning Authority.

Landscaping - Soft works

18 Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to the commencement of soft landscaping works planting plans shall be submitted to and approved in writing by the Local Planning Authority. These will be detailed planting plans indicating 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.

Maintenance – Soft works

19 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, other than small privately owned domestic garden delete as required 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

INFORMATIVES:

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

HEADS OF TERMS

Should members be minded to approve the application consideration should be given to the following heads of terms required as part of any Section 106 Agreement;

•“The area edged yellow shall be provided as open space/landscaping/buffer planting and the Owner shall submit a landscape management plan for the prior approval of the LPA for the layout, planting and long term management of the land. Such plan should include the provision of a footpath/cycleway to the south of the Sandview development to connect to the Sandhill development as shown on Drawing SV-001 Rev G. A bridleway marked along the northern boundary of the Sandview site and shown on Drawing SV-001 Rev G shall also be included in the landscape management plan and should be used as an access track for the delivery of farm machinery or large deliveries only to Barwick Farm. A bollard shall be installed at a point approximately 8m from the junction of the farm track with the development access road with only the Owner and the owner of Barwick Farm holding a key to gain access along that track. Signage to the farm shall also be provided by the Owner.”

P 112/13 14/0093/FUL Billingham Community Centre The Causeway, Billingham Proposed new public car park with associated landscaping, lighting, CCTV installation and new widened vehicular access and footpath from The Causeway

Consideration was given to a report on planning application 14/0093/FUL Billingham Community Centre The Causeway, Billingham Proposed new public car park with associated landscaping, lighting, CCTV installation and new widened vehicular access and footpath from The Causeway.

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

- That there was a lack of disabled car parking, what was available was mainly located within Billingham Forum car park.
- The current car park provided easy access to Billingham Town Centre as well as the library.

- That the car park did not just serve users of the community centre.
- The distance from the proposed car park would increase walking distance to local amenities. This would impact on the elderly and less abled.
- CCTV was not to be monitored during hours of darkness even though the community centre would be used during these times.
- It was felt that safety was being negated.
- That current car parking spaces which were provided in the town centre were old and originally designed for smaller 1970's cars, steps needed to be introduced to improve the size of these to accommodate larger more modern cars.
- The ramps which provided access to current car parks were not suitable for larger cars. Also ramps which provided pedestrian access to local amenities were too severe and difficult to negotiate for wheelchair users and these too should be improved.
- The current Town Centre car park was highly visible and visitors found this easy to locate, however the new proposed car park would be obscured by the proposed care home which could impact negatively on the number of visitors coming to Billingham.
- Residents of Roseberry Road objected to the application.
- It was reported that many residents had expressed that they would not use the proposed car park if it went ahead.

Officers from Stockton Borough Council confirmed the following: points to the Planning Committee:

- That the proposed car park was intended for those who used the community centre and that the CCTV would be monitored during the community centre open hours. The Community Centres' main hours of operation were between the hours of 11.00am and 2.00pm which also fell in line with peak times for shoppers.
- Pedestrian access would be improved / widened to aid those using wheelchairs and mobility scooters.
- There were further improvements to come to the car park at Kingsway House which was part of the Billingham regeneration scheme.

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

- There had been no reference made to previous planning history in relation to this application although it had been to a Planning Committee before. Had any other sites been considered as this was greenfield?
- Cabinet had looked at this application previously and although various

proposals for other sites within Billingham Town Centre had been looked at this one had been considered to be the most appropriate.

- Assurances regards the monitoring of CCTV were asked for along with additional upgrades to existing town centre car parks
- Concerns were raised as to how many car parking spaces would be taken up by care home staff if the care home was to go ahead.
- Members moved a motion that the application for the car park and the separate application for the proposal of a new care home should be considered alongside each other.

A vote then took place and Members agreed that the application be deferred to enable the Committee to consider the proposal for the Billingham Community Centre The Causeway, Billingham Proposed new public car park, at the same Planning Committee meeting as the Billingham Community Centre Car Park The Causeway, Billingham application for construction of retirement housing development as a whole.

RESOLVED that planning application 14/0093/FUL
Billingham Community Centre The Causeway, Billingham
Proposed new public car park with associated landscaping, lighting, CCTV installation and new widened vehicular access and footpath from The Causeway be deferred for the reasons set out above.

P 113/13 13/2834/COU Unit C, Appleyard Buildings, Master Road Retrospective application for change of use to hand car wash (sui generis)

Consideration was given to a report on planning 13/2834/COU
Unit C, Appleyard Buildings, Master Road Retrospective application for change of use to hand car wash (sui generis)

Retrospective planning permission was sought for a change of use to a hand car wash (Sui Generis Use Class) at unit C, Appleyard Buildings, Master Road Thornaby. The site consisted of a valet/storage area (within the unit) and a car wash area (adjacent to the building) in the yard area. The operation included use of power operated jet washers and a generator.

The application site (unit C) formed one of several uses within a large industrial/commercial unit which was considered to benefit from a B2 general industry use . The current site was served by the access from Master Road (south west) with an area of hard standing to the east/rear of the buildings. This area abounded several residential properties to the east including those along Darbyshire Close and Martinet Road.

The Head of Technical Services had raised no objections to the scheme on highway safety grounds. The Environmental Health Unit Manager had raised no objections in principle to the scheme but had recommended conditions relating to a scheme for management controls of the car wash operation (in relation to spray, noise and drainage), hours of operation, restrictions on the playing of

music and no external lighting, and the requirement for a 2m high screen to be erected adjacent to the jet washing area. These conditions were recommended accordingly.

7 letters of objection had been received from neighbouring properties, which related to the use resulting in an unacceptable loss of amenity in terms of noise disturbance and spray nuisance, property devaluation and an impact on highway and pedestrian safety.

Subject to the imposition of the identified relevant planning conditions which are considered to satisfactorily address the impacts of the use, the scheme is considered to accord with the general principles of the National Planning Policy Framework and accord with the principles of sustainable development. The scheme as proposed was therefore not considered to have an unacceptable 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 will 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 National Planning Policy Framework 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.

The applicants agent was in attendance and given the opportunity to make representation. Her comments could be summarised as follows:

- Prior to the current change of use application the depot had washed and valeted coaches.
- The agent had worked with Officers of Stockton Borough Council to ensure all issues raised by residents had been addressed satisfactorily.

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

- The area in which the application had been made was hopefully to be fully residential in the long term, even the police station was planning to relocate.
- Hours of operation were considered a worry to Members.

A vote then took place and the application was approved.

RESOLVED that planning application 13/2834/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
SBC0001A	31 January 2014
SBC0003C	31 January 2014
SBC0005	31 January 2014
LETTER 'REF 13/157'	20 January 2014

Conditions to be discharged prior to occupation

02. Scheme for the management controls of the use

Within two months from the date of the decision notice, a written scheme for management controls of the existing drainage facilities and of any resultant noise and spray of the use hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented within one month of the written agreement from the Local Planning Authority and the use shall be maintained and managed in perpetuity.

Conditions to be Implemented

03.Erection of 2m high spray screen barrier

Within two months from the date of the decision notice, a two metre (2m) high spray screen barrier shall be erected for a length of 6m to the east of the existing building in accordance with the specified location on plan SBC0003C (dated 3rd February 2014) and constructed in accordance with the submitted

specification details (letter 'ref 13/157', dated 20th January 2014).

The agreed scheme shall be maintained in perpetuity.

04.Working layout

The hand car wash use hereby approved shall operate solely in accordance with the working layout as set out on plan SBC0003C (dated 3rd February 2014) including the access and egress to/from the site.

The use of jet wash sprays and any other mechanically operated cleaning equipment shall only be operated within the annotated 'car wash area', situated between the rear of the building known as Unit C and the requisite 2m high screen barrier as set out on plan SBC0003C (dated 3rd February 2014).

Conditions which will remain in perpetuity

05.Playing of music and siting of generator inside building only

Any associated generator/plant equipment associated with the hand car wash use shall be housed inside the building only (within the 'valet/storage area' as annotated on plan SBC0003C, dated 3rd February 2014) to limit disturbance to local residential properties.

There shall be no music played in the external yard area or the erection/use of any external lighting in the external yard area.

06.Operating Hours

The building and yard area shall not be used for a hand car wash and no machinery associated with the use hereby approved shall be operated within the building or the yard area, nor shall any deliveries be taken outside the hours of 0830 - 1800 hours Monday to Saturday and 0900-1600 hours on Sundays and no working shall take place on Bank Holidays.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

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

Informative to applicant; the applicant must ensure that no water escapes from the use onto the adjacent highway.

**P
114/13**

13/3034/FUL

The Masham 87 Hartburn Village Stockton

Commercial bin storage to rear of premises removing part of existing boundary fence and installation of proposed access gate, to allow for access into proposed bin store area only.

Consideration was given to a report on planning application 13/3034/FUL The Masham 87 Hartburn Village Stockton.

Planning permission was sought for the installation of a proposed access gate to allow for access to the proposed bin store through the removal of part of the existing boundary fence of The Masham public house, Hartburn Village, Stockton on Tees. The main building was a Grade II Listed Building and was located within the Hartburn Village conservation area.

The proposed scheme would create an access into a proposed commercial waste storage area to/from Village Paddock (west) that would be sited within an established part of the commercial curtilage, and would be situated to the south west/rear of the main building and directly to the rear of No's 89 and 91 Hartburn Village. To facilitate the access of bins to/from the waste storage area, the adjacent strip of land (adopted highway) to the west of the site boundary (within Village Paddock) would need to be lowered by approximately 500mm and would create a ramp. This same level would also need to be reduced on the other side of the fence within the public house curtilage (where the waste storage bins are to be sited).

No objections had been received from the Environmental Health Unit. The Refuse and Street Cleansing Supervisor had confirmed that the relocation of the bin store would not increase vehicle movements on Village Paddock as the same vehicle collects both residential and commercial waste in one visit. No objections had been received from the Head of Technical Services, subject to a planning condition to restrict the access of the gate for waste collection only and for no pedestrian access of deliveries to the site. This condition had been assessed to ensure it met the six tests for validity which were necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects. The Council's Principal Solicitor was satisfied that all six tests were met and was recommended to be imposed accordingly.

The Council's Conservation and Historic Buildings Officer had raised no objections to the scheme.

Six objections had been received to date which were summarised as; the public house did not have any access rights to Village Paddock and works would take place to land not owned by the applicant; the scheme would result in an adverse impact on highway and pedestrian safety (and contrary to a previous appeal decision); the scheme would result in an adverse loss of amenity in terms of noise disturbance and odours/smells; the scheme was not suitable for the area and the proposed works would be unsightly.

Subject to the imposition of the identified relevant planning conditions, the scheme as proposed was not considered to result in a significant adverse loss of highway and pedestrian safety, or have a significant adverse impact on the character and appearance of the area or lead to an unacceptable loss of amenity for neighbouring land users.

The planning application was first publicised in January 2014 however additional consultations had been undertaken due to the land ownership of the strip of land to which the proposed works related. The new neighbour consultations expired on 25th February 2014, the site notice consultation period would expire on Thursday 27th February 2014 and the press notice would expire on Thursday 6th March 2014. Therefore, it was recommended that the

decision was delegated to the Head of Planning for approval subject to no new objections being received which raised material planning issues which had not been previously considered on the expiry of the consultation period to allow a timely decision to be issued.

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 it was considered that the scheme would not adversely affect highway or pedestrian safety or the character and appearance of the existing listed building and the surrounding conservation area. The proposal was therefore considered to accord with the provisions of saved Policy EN24 and Core Strategy Policy CS3 (8).

The scheme would not lead to an unacceptable impact on the amenity of neighbouring residents. The proposal was therefore considered to be in accordance with the relevant Development Polices and was considered to be an acceptable form of development.

In light of the above, and the outstanding site notice and press notice publications, it was recommended that Planning Committee delegated the decision of application 13/3034/FUL to the Head of Planning for approval on the expiry of the consultation period subject no objections being received as a result of the consultations to allow a timely decision to be issued.

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

- A previous application had been submitted to Planning Committee seeking the same permission however it had been refused.

- Previous attempts to screen the bins had been investigated without success.
- Would it be possible to state that the refuse collection must be carried out by the local authority?
- This was a sensible proposal which would enhance the look of the village.

Officers explained to the committee that the previous application related to the beer garden of the public house, and that this application was relating to bins at the front of the car park area. The restrictive access gates would only be opened when refuse was collected; otherwise the gates would be locked at all times. If breached the access gates would be removed.

A vote then took place and the application was approved.

RESOLVED that the Planning Committee delegate the decision of application 13/3034/FUL to the Head of Planning for approval on the expiry of the consultation period subject to no new objections being received which raise material planning issues which have not been previously considered and the following conditions and informatives

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

Plan Reference Number	Date on Plan
SBC001	7 January 2014
VV/347/01 REV B	7 January 2014

Conditions to be Implemented

02. The proposed access gate hereby approved shall be solely used for access to the waste storage area associated with the public house as set out on plan VV/347/01 REV B (dated 7th January 2014) and shall only be opened and accessed for the removal of waste on waste collection days. The proposed access gate shall remain closed and locked at all other times and shall not be used for any deliveries to the public house or residential property or be accessed by members of the public or occupants of the public house and domestic property.

03. The proposed access gate hereby approved shall be constructed in accordance with approved plan VV/347/01 REV B (dated 7th January 2014) and shall match the timber material and dark green stain colour of the existing, adjacent fence panels unless otherwise agreed in writing with the Local Planning Authority.

04. The works hereby approved to lower the existing level of the land to facilitate the waste storage area shall be completed in accordance with the levels specified on approved plan VV/347/01 REV B unless otherwise agreed in writing with the Local Planning Authority. The reduced level (where the waste storage area is to be sited within the public house curtilage) shall be constructed from a concrete material and provision made to direct run-off water from the

hard surface to a permeable or porous area or surface within the curtilage of the public house unless otherwise agreed in writing with the Local Planning Authority.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

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

Informative: The applicant should Direct Services regarding a highway license for works to the highway/construction of the dropped verge crossing.

**P
115/13** **Five year housing supply 1st January 2014 to 31st December 2018 (3rd quarterly update report)**

Consideration was given to a report that updated Members on the completion of the 3rd quarterly update of the Five year housing supply 1st January 2014 to 31st December 2014.

The Head of Planning presented the report to the Committee and highlighted the following key areas:

- The report showed that the authority had a deliverable housing supply of 4.37 years with a 20% buffer added, which was a shortfall of 455 dwellings. This meant that the authority was not able to demonstrate a five year supply of deliverable housing sites.

RESOLVED that the 3rd quarterly update report of the Five year housing supply 1st January 2014 to 31st December 2018 be noted

**P
116/13** **1. Appeal - J Baksh -184 Durham Road Stockton - 12/2780/FUL - DISMISSED**
2. Appeal - Mr A Bainbridge - 61A Harlsey Road Stockton - 13/0321/FUL - PART ALLOWED/PART DISMISSED

RESOLVED that the appeals be noted.