Planning Committee

A meeting of Planning Committee was held on Wednesday, 16th April, 2014.

Present: Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Jim Beall, Cllr Phillip Dennis, Cllr Eileen Johnson(Vice Cllr David Rose), Cllr Jean Kirby, Cllr Alan Lewis, Cllr Jean O'Donnell(Vice Cllr Paul Kirton), Cllr Maurice Perry(Vice Cllr Ken Lupton), Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Steve Walmsley, Cllr David Wilburn

Officers: Simon Grundy, Barry Jackson, Peter Shovlin, Colin Snowdon(DNS) Julie Butcher, Sarah Whaley(LD)

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

Apologies: Cllr Paul Kirton, Cllr Ken Lupton, Cllr David Rose,

P 1/14 Evacuation Procedure

The evacuation procedure was noted

P 2/14 Declarations of Interest

Cllr Steve Walmsley declared a personal interest in relation to item no. 5, 14/0231/FUL Former Springs Leisure Centre, Haydock Park Road, Teesside Shopping Park and item no.6, 14/0222/FUL Securicor Limited, Magister Road, Thornaby, as he was a member of Thornaby Town Council. Cllr Steve Walmsley had not taken part in any Town Council debate and expressed his intention to speak and vote on the items in question.

Cllr Gillian Corr and Cllr Jean Kirby declared a personal interest in relation to item no. 5, 14/0208/OUT Land Adjacent To Thornaby Road, Ingleby Barwick as they were both 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 Gillian Corr and Jean Kirby were not present during the discussion of that item and expressed their intention to speak and vote on the item.

Cllr David Wilburn declared a personal interest in relation to item no. 7, 13/3073/FUL Tees Valley Nursery, The Moat, Belasis Hall Technology Park as he rented business space at Belasis Hall Technology Park. Cllr Wilburn did not vote on the item.

P 3/14 Minutes

The minutes from the meeting which was held on the 19th March 2014 were confirmed and signed by the Chair as a correct record

P 4/14 14/0208/OUT
Land Adjacent To Thornaby Road, Ingleby Barwick,
Outline application for residential development of up to 550 homes including provision of means of access and open space

Consideration was given to a report on planning application 14/0208/OUT Land Adjacent To Thornaby Road, Ingleby Barwick,

The application site lay to the south-east of Ingleby Barwick on the corner of Thornaby Road and Low Lane. The site was presently used for agricultural purposes (arable farming). Outline planning consent was sought for the creation of a residential housing development of up to 550 dwellings. All matters were to be reserved with only the means of access up for consideration at this moment in time.

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 are out of date and the scheme must be considered against those policies of the National Planning Policy Framework (NPPF). As set out within the report the benefits of the application are 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 it is acknowledged that the Council is not able to demonstrate a five year supply of deliverable housing sites, it was considered that the proposed development would introduce housing closer to Thornaby (Teesside Industrial Estate) and would introduce landscaping and housing into what was an undeveloped and unplanted corridor along Thornaby road, thereby eroding the openness and separation function of the Bassleton Beck green wedge.

Therefore, whilst there were some significant benefits to the proposed development, it was considered that such benefits would be outweighed by the harm the proposal would have to the green wedge and the wider character of the area. The proposed development would therefore be contrary to policy CS10 of the Core Strategy and saved Policy HO3 as well as guidance within the NPPF.

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 whilst it was acknowledged that the Council was not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer, consequently the NPPF made it clear that relevant policies for the supply of housing could not be considered as up to date. As a result it was recognised that the benefits of the application significantly boost the supply of housing including affordable housing provision and contributed to achieving economic growth through investment and job creation.

Notwithstanding the above, it was considered that the proposed development would introduce housing closer to Thornaby (Teesside Industrial Estate) and would introduce landscaping and housing into what was an undeveloped and unplanted corridor along Thornaby road, thereby eroding the openness and separation function of the Bassleton Beck green wedge. Although there were some significant benefits to the proposed development it was considered that such benefits would be outweighed by the harm the proposal would have to the green wedge and the wider character of the area.

Given the above concerns that the proposed development would give rise to significant harm to the role and function of the green wedge and the overall character of the area and that the proposed development would therefore be contrary to policy CS10 of the Core Strategy and saved Policy HO3 as well as guidance within the NPPF.

Members were presented with an update report which since the original report to members of the planning committee, the applicant had submitted an amended plan (which was attached alongside the update report) which proposed that the edges of the development were treated with a tree belt of woodland screen planting.

Although this was considered to address some of the concerns with respect to the buffer planting and edge treatment of the proposal and would also replicate a similar approach to screening the proposed development as accepted on the neighbouring site, it would not address the overall level of development sought and would still result in built development extending out beyond the limits of any existing built development and still introduce landscaping and housing into what is an undeveloped and unplanted corridor along Thornaby Road, thereby eroding the openness and separation function of the Bassleton Beck green wedge.

In an accompanying letter the planning agent had also queried the merits of policy CS3(8) forming part of the reason for refusal. However, it was considered that policy CS3(8) should remain within the reason for refusal on the basis of the impact of the development on character of the area and that through the erosion of the green wedge, the proposed development would fail to contribute positively to the local area. Therefore the recommendation within the main report remained unchanged.

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

- This application would only be a success if it went alongside the previously

refused neighbouring site.

- This development would be bigger than the neighbouring villages of Malton and Hilton.

- Residents who had their properties up for sale were experiencing difficulty selling due to lack of primary school places for children.

- 90 signatures had been received in relation to a petition which was currently ongoing to halt further development in Stockton South.

- An additional 8 minutes would be added to driving times during rush hour.

- There was no bus service proposed for the potential new estate.

- The proposed site had been visited on a lovely sunny day. There were lovely open spaces and views of the Cleveland Hills. This would be spoiled if the application was approved.

Ward Councillor Kevin Faulks attended the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- Several meetings had been conducted with residents of Ingleby Barwick, Maltby and Hilton. Not one resident had expressed that they welcomed this or any other development in Ingleby Barwick.

- As a shift worker, travelling in and out of Ingleby Barwick was never an issue as he did not travel during peak times. This was not the case for other residents who had to leave the estate at 7.00am to get to work for 9.00am due to an early build-up of traffic within the estate.

- Ingleby Barwick and Thornaby bore the brunt of the difficulties which arose from traffic problems and accidents were increasing along the A66 and A19 from cars travelling from the direction of Ingleby Barwick.

- The affordable housing proposed was not affordable with starting prices as high as £100,000.

- Please refuse this application.

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

- Britain was currently suffering a housing crisis. There was currently a 230,000 housing shortage.

- Areas of outstanding beauty should be protected however some green wedge should be built on as had been seen post war.

- Development needed to go further than tinkering on the edges; Ingleby Barwick was an inspirational place to live.

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

- The notion of this application was an absolute nonsense.

- Development was unsustainable in relation to traffic issues.

- Yes there was a housing shortage, develop and revive the rotting town centres providing homes which people can afford.

- The last few years had been a free for all for developers.

- There was not enough primary school provision within Ingleby Barwick. Students would still be getting bussed off the estate to school and some of these children would be of primary school age.

- There was a lack of doctors and dentist provision within Ingleby Barwick. Enough was enough, leave greenfield sites alone and develop town centres.

- Do not want to see the last bit of green corridor between Ingleby Barwick and Thornaby disappear it would result in both towns merging into one.

- Fully support officers' recommendation.

A vote then took place and the application was refused.

RESOLVED that planning application 14/0208/OUT be Refused for the following reason;

Green Wedge/landscape character:

01 In the opinion of the Local Planning Authority the proposed development represents an unjustified incursion into the Bassleton Beck valley green wedge and by virtue of its scale and nature would have an unacceptable detrimental impact on the open character and visual amenity of the area and thereby harm the separation that exists between the settlements of Ingleby Barwick and Thornaby, contrary to saved policy H03 of the Adopted Stockton on Tees Local Plan and policies CS3(8) and CS10(3) of the Adopted Core Strategy and paragraph 123 of the National Planning Policy Framework (NPPF).

P 14/0231/FUL
5/14 Former Springs Leisure Centre, Haydock Park Road, Teesside Shopping Park
Erection of new retail store (Class A1) and ancillary use with office, associated parking, access, servicing arrangements, landscaping and advertising.

Consideration was given to a report on planning application 14/0231/FUL Former Springs Leisure Centre, Haydock Park Road, Teesside Shopping Park.

Planning permission was sought for the erection of a retail unit for Barker and

Stonehouse in an out of centre location on Teesside Park, on the site of the former Springs Leisure club which was the extant use on site. The planning history showed refusal of a scheme in 2007 for a bulky goods retail use and two refusals for the erection of a hotel, restaurant and pub/restaurant on the site.

Retailing was a town centre use and this site was in an out of centre location. The submission included a sequential and impact assessment which had demonstrated that there were no known suitable and available sites within Stockton or Middlesbrough centres which could accommodate the development as proposed. The anticipated impact of the proposed development had been considered based on its likely draw of trade from existing retail areas including Stockton and Middlesbrough. The impacts were considered to be insufficient to warrant refusal of the scheme on these grounds. As such, the proposed retail development at the site was considered to be acceptable.

Adequate provision was made for access, servicing and parking whilst the building design was that of a modern retail premises with quality materials having been specified. The Head of Technical Services had raised no objections to the scheme.

The proposal had been considered against all consultees comments made, none of which raised an objection to the scheme whilst Thornaby Town Council had expressed their support for the scheme. The agents for the Castlegate Centre had supported the scheme subject to controls over the user and extent of goods being sold.

The proposed development was considered to be in accordance with national and local planning guidance for retail development in out of town locations and is therefore 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 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 out of centre retail development had been considered sequentially with other suitable and available sites within the area and adequate demonstration had been made that there were no suitable alternative sites that were available. The anticipated impacts on the existing retailing within centres as well as the existing and planned investments within centres had been assessed and it was considered that this would not be significantly detrimental. It was also accepted that this proposal was to be in addition to the applicants existing stores in the nearby sub regional centres of Darlington and Middlesbrough. Taking into account these matters, it was considered that the proposal adequately conformed with the National Planning Policy Framework, the Saved Local Plan policies and the Adopted Core Strategy Development Plan Guidance.

It was considered that adequate access, servicing and parking had been proposed in accordance with the requirements of Core Strategy Development Plan Policy CS2. The building was of a scale and appearance which was in keeping with the surrounding area and therefore accorded with the relevant part of Core Strategy Development Plan Policy CS3. It was considered that the proposed scheme would result in significant economic investment, job creation and regeneration of the site

In view of the proposal being in an out of centre location and being justified on the specific retailers model, it was appropriate to impose controlling conditions to limit the extent and type of retailing from the site.

It was recommended that the application be Approved with Conditions for the reason(s) set out within the main report.

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

- A potted history of how the retail store Barker and Stonehouse had begun.

- Barker and Stonehouse was a local home grown family business.

-The new building would provide office and retail space with green credentials as it had already demonstrated in its Knaresborough store.

- As a head office the store would attract retailers from all over the world to Stockton.

- The store would employ 40 full time staff, with an expected turnover of £8,000,000 per annum.

-The applicant indicated that the build would receive an investment of £3.4 million which in turn would create work for local tradesmen in the area whilst under construction.

- Although the country was currently experiencing a recession Barker and Stonehouse had continued to expand with its latest store opening in Battersea. There were now a total of 9 Barker and Stonehouse stores across the country.

Ward Councillor for Ingleby Barwick Kevin Faulks was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- The current building was the first thing people saw on entering the retail park and as it currently stood was an eyesore and had been for a long time. Therefore Councillor Faulks fully supported the application.

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

- This was a quality development; it brought employment and eliminated dereliction. It made sense to approve the application

- Previous application to the site had been rejected due to the sequential test, this however was a quality development and should be approved.

A vote then took place and the application was approved.

RESOLVED that planning application 14/0231/FUL be approved subject to the following conditions and informatives; with additional changes removing “retail” from condition 18 and including under Ancillary retail items “Integral electrical Goods” in condition 17.

01. Approved Plans

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

Plan Reference Number	Date on Plan
A100-03	5 February 2014
SBC0001	31 January 2014
A10-00 A	31 January 2014
A20-03 E	31 January 2014
A20-04 C	31 January 2014
A30-11 E	31 January 2014
A30-12 D	31 January 2014
A20-02 E	31 January 2014
A20-01 F	26th March 2014
A100-02 A	5 February 2014
A100-01 A	5 February 2014
A10-04 A	31 January 2014
A10-03 E	26th March 2014
0585-1 A	31 January 2014
A30-01 D	26th March 2014
A30-02 D	26th March 2014

02. Levels

Notwithstanding details shown on the plans hereby approved, prior to any works

commencing on site, a scheme of ground levels and finished floor levels for the building and all areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

03. Temporary Car Park for Workers

Prior to works commencing on site a scheme for a temporary car park and materials storage area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use prior to commencement of any development.

04. 10% Renewables or fabric first

Prior to the commencement of any of the development hereby approved and unless otherwise agreed in writing with the Local Planning Authority as being unfeasible or unviable, a written scheme shall be submitted to and approved in writing by the local planning authority which details how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superseding guidance. Before the development is occupied the approved scheme of reduction shall have been implemented on site and brought into use where appropriate. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

05. Landscaping Hard-works

Notwithstanding the details hereby approved, no hard landscaping works (excluding base course for access roads and car park) shall commence until full details of the proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme of hard landscaping shall include external finishing materials, construction details, colours, and fixings where appropriate. The development shall be undertaken in accordance with the approved scheme and implemented in full prior to the development being brought into use.

06. Soft Landscape Scheme

Prior to the development hereby approved being commenced on site a scheme of soft landscaping shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be restricted to providing a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations, inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers where appropriate. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The approved scheme shall be implemented in full in the first planting season following the completion of the building and creation of the car park or in the first planting season following the development being brought into use.

07. Drainage - Run off rates

The construction of the new building hereby approved shall not be commenced on site until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme and shall aim to prevent any increase in existing run off rates from the site.

08. Drainage - Car Parking Areas

The development hereby approved shall be undertaken in accordance with a scheme of drainage for the car park areas which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of an Oil Interceptor.

09. BREEAM

The development hereby approved shall be constructed to achieve a BREEAM 'Very Good' rating unless an alternative scheme of works has first been submitted to and approved in writing by the Local Planning Authority. Any alternative scheme shall detail how the works would achieve the relevant principles of the BREEAM ‘Very Good’ standard as well as but not restricted to providing time periods for implementation, maintenance and monitoring regimes.

10. Construction and First occupation

The development hereby approved shall only be constructed and first occupied by the applicant.

11. Unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

12. Lighting

There shall be no external lighting installed at the site unless it is in accordance with a scheme of lighting which has first been submitted to and approved in writing by the Local Planning Authority.

13. Boundary Treatments

Notwithstanding the details hereby approved, no boundary treatments shall be erected on site unless in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority.

14. Travel Plan

Notwithstanding the Travel Plan submitted, prior to the retail use hereby approved being brought into use, an amended travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall make allowances for it being updated and maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

15. Cycle Parking

The cycle parking shall installed on site in the positions as detailed on approved plan A20-01 Rev F prior to the development being brought into use unless otherwise agreed in writing by the Local Planning Authority. The cycle parking shall remain in place, be maintained and be operational in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

16. Soft Landscape Maintenance

Prior to the development hereby approved being brought into use, a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and any retained vegetation shall be submitted to and approved in writing by the Local Planning Authority. Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme of soft landscaping regardless of any phased development period followed by a long-term management plan for a period of 20 years and shall make provision for replacement of dead and dying vegetation within that period.
The management of soft landscaping shall be undertaken in accordance with the approved scheme unless the Local Planning Authority give written consent to any variation.

17. Extent of Retailing

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 as amended or the Town & Country Planning Use Classes (Amendment) Order 1995 (or any order revoking and re-enacting these Orders), the range of goods to be sold from the premises shall be restricted its principal goods to be sold and ancillary items as detailed below:

Principal retail items

- Furniture including sofa's, tables, chairs,
- Garden Furniture,

- Bedroom Furniture
- Bathroom Furniture
- Kitchen Furniture
- Carpets and Flooring
  Ancillary retail items
- Rugs,
- Lighting
- Cushions,
- Shelving, Picture frames,
- Home furnishings
- Integral electrical Goods

The Net retailing area within the store shall not exceed 3310square metres.

18. Single operator site

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting these Orders), the premises hereby approved shall only accommodate a single operator and shall not be split into more than one unit.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: National Planning Policy Framework
The application has been considered against the guidance contained within the National Planning Policy Framework.

Informative 2 - Landfill
The Environment Agency have advised that the proposed development site is located approximately 60m to the east of a non-biodegradable waste landfill site previously operated by operated by Greenfield Excavations Ltd (now in receivership). It was operated from 1993 under the permit no EAWML 60120. As the site did not accept biodegradable waste, it is thought that landfill gas would not have an adverse impact on the proposal area.

Informative 3: Damage to Highway Verge
The developer is reminded that it is an offence to cause damage to the Highway or to deposit any item on the Highway that causes a nuisance or danger. Any damage to the Highway caused by the development must be repaired at the developer's expense. The Highway Authority will seek, wherever possible, to recover any expenses incurred repairing the Highway surfaces and prosecute persistent offenders. (Highways Act 1980 sections 131, 148, 149).

The developer should contact the Care For Your Area Highway technicians prior to any works on site to arrange an inspection of the Highway surfaces and landscaping fronting the development.

Any need to prune or remove any of this existing planting to gain views of any Totem signage or for creating a pedestrian link to be into the car park from Teesside Park would need to be agreed with Stockton Council.

The existing roadside planting that runs along Teesside Park Drive and which

falls within highway owned land could be enhanced by the development. The planting on the southern edge of the service area could be gapped up to allow for barrier planting to deter any pedestrian access through this area from Teesside Park Drive. Again this would need to be agreed with Stockton Council.

Informative 4 – Northern Gas Networks
Northern Gas Networks have advised that there may be apparatus in the area that should be identified prior to works commencing and suggest early contact is made to highlight these services.

P 14/0222/FUL
6/14 Securicor Limited, Magister Road, Thornaby
Proposed additional security features which includes Floodlights, CCTV cameras, inclusion of pedestrian access gates in internal fencing, upgrading of personnel secure entrance and exit to rear of building, introduction of vehicular gate within the yard area, adding an above ground diesel tank to rear area

Consideration was given to a report on planning application 14/0222/FUL Securicor Limited, Magister Road, Thornaby.

The application was first reported to the Planning Committee on 19th March 2014 when consideration was deferred to await the comments of the Environment Agency.

Planning permission was sought for the implementation of a scheme of security measures at the Securicor premises on Magister Road, Thornaby as well as the siting of a new diesel tank to the rear of the main building within the site. The security measures included new access gates, internal vehicle gates to separate a compound area, new staircases including mesh enclosures and CCTV. The proposed changes were cited as being necessary to improve the safety of the staff working at the site.

Local residents objected, considering the works to be excessive, suggesting that diesel fumes may be a problem and raising concerns over the safety of the diesel tank, impacts on privacy from the CCTV and over the likely noise from the operation of the proposed gates.

The Head of Technical Services had raised no objection. The Council's Environmental Health Unit had no objections but recommended conditions to control matters relating to CCTV cameras and construction noise.

Councillor Moore had requested assurance that CCTV would not be intrusive on residents' privacy and enjoyment of their personal surroundings, that the diesel tank be shielded from residents view and provided with both a bund wall and systems to prevent overspill and deal with fire suppression.

The scheme had been amended from the one previously taken to Planning Committee on the 19th March 2014. The changes were detailed as follows;

- Re-positioning of the diesel tank to be more central within the rear yard, away from the immediately adjacent residential boundary;

- Provision of 2m high timber screen around the diesel tank;
- Removal of the floodlighting from the scheme; and
- Removal of Razor Wire from the roof of the compound areas.

CCTV could be directional, shrouded and controlled to prevent significant impacts on the privacy and amenity of surrounding properties. New external caged staircases and gates would segregate the outdoor areas within the yard thereby allowing better visibility for employees when external to the building whilst still being in a protected environment and although stark in their appearance, their function within the operational site was understood.

The diesel tank would replace the existing underground tank currently on site. It would be internally bunded with a 110% capacity (inner lining that could hold 110% of the tanks holding capacity). It also had internal fittings, including the connector for the hose which was detachable as part of the safety features for the tank. The tank was located away from the sites boundaries with residential properties and would be screened by a 2m high timber screen.

Whilst there were objections by residents to the proposals, it was considered that they were of a limited scale and related to existing commercial premises. The site was very much overlooked by the surrounding residential properties and as such, there was a need to control potentially negative impacts from being significantly detrimental, specifically in respect to the CCTV. Subject to such controls it was considered that the scheme would be in general accordance with the relevant sections of the National Planning Policy Framework which supported economic development and which required amenity of existing residents to be taken into account.

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

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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 of a commercial nature on a commercial site within an area surrounded by residential properties. Subject to controls over CCTV it was considered that adequate levels of privacy and amenity would be retained for residents. The operation of new gates and the diesel tank should be able to be undertaken without undue impact on surrounding residents and in view of these matters it was considered that the development was in accordance with the National Planning Policy Framework. It was recommended that the application be Approved with Conditions for the reasons set out within the main report.

Members were presented with an update report which since the publication of the main report 3 further letters of objection had been received from local residents in respect of the visual 'intrusion' of the flood lights in terms of a loss of privacy and that the flood lights should be removed, increase in noise and disturbance (and vehicle movement) and the potential fire hazard (in respect of the diesel tank)

It was not considered that the issues highlighted in the additional objections raised any new material planning considerations that had not been considered within the main Committee Report. Consequently, the recommendation for approval remained unchanged.

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

- It did not seem right that a safer compound be required in a residential are due to threat of attack. If a safer compound was required then it should be moved away from the population.

- Securicor was there prior to the housing development.

- The issues which had been raised at a previous planning committee meeting had now been addressed by Securicor.

- The Environment Agency had no issues now the original application had been softened.

A vote then took place and the application was approved.

RESOLVED that planning application 14/0222/FUL be approved subject to the following conditions and informatives;
01 Approved Plans
The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date on Plan
SBC0001	30 January 2014
SBC0002	30 January 2014
S500-EX01	30 January 2014

S500-ELE02 11 February 2014
TANK01 11 February 2014
S500-ELE01 Rev A
S500-PL01 Rev C 28th March 2014
28th March 2014

02. CCTV Cameras
The CCTV cameras hereby approved shall be erected in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail how the extent of coverage for the cameras will be limited up to the boundary of the site and not beyond.

03. Hours of operation on site
No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.
INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1:
The application has been determined taking into account the guidance contained within the National Planning Policy Framework.

P 13/3073/FUL
7/14 Tees Valley Nursery, The Moat, Belasis Hall Technology Park
Permanent siting of static caravans for seasonal workers

Consideration was given to a report on planning application 13/3073/FUL Tees Valley Nursery, The Moat, Belasis Hall Technology Park

Planning approval was sought for the permanent siting of 6 static caravans to provide seasonal accommodation for workers during the summer months when production at the plant was at its greatest intensity. The caravans had been sited at the site since 2012, it was originally intended to remove the units from the site during the winter however due to adverse weather conditions this had been impossible. Therefore the caravans had remained at the site and this application had been submitted to regularise the situation. Each caravan differed slightly in design however the applicant had confirmed the maximum dimensions of height at 3.2m, width 3.1m and length 11 m.

Six letters of objection had been received from surrounding businesses largely on the grounds that the area was unsuitable for residential use with limited services and facilities it was unsustainable. Concerns were raised that it would increase crime and reduce security at Belasis Park, be detrimental to the character and appearance of the area and it would set an undesirable precedent. These concerns were supported by the Head of the Council's Regeneration and Economic Development section who stated that the site was not suitable for residential use and a more sustainable solution would be to buy low cost housing in the local area. However the application as submitted had been assessed in line with the relevant material planning considerations.

In terms of planning policy marketed residential development at this location would not be supported as Belasis Technology Park was safeguarded for employment uses. However the proposed caravans would only provide seasonal accommodation and were therefore considered to be ancillary to the main use at the site. It was important to note that there were permitted development rights for the siting of temporary accommodation in the form of "movable structures" however to be able to benefit from the PD rights for seasonal agricultural accommodation the caravans must be removed from the land once the season was over. Therefore subject to a condition ensuring that the caravans were not occupied between 30th October and 1st April in any one year the principle of the development was considered to be acceptable.

In terms of crime and anti-social behaviour it was noted that the caravans on the site had been in place since 2012. The applicant had confirmed that there had been no complaints received to the site. Furthermore Cleveland Police were consulted on the application and had confirmed that there were no records of any complaints relating to crime and anti-social behaviour in the period from 1st march 2012 to the current date.

The Environmental Health Unit had raised no objections. Therefore taking into account that there were no sensitive users within the vicinity of the application site, such as residential properties, and that there was a large separation distance to other commercial properties it was not considered that the proposal would result in a detrimental impact upon the amenity of neighbouring land users.

The Head of Technical Services had raised no objections. As such it was not considered that the proposal would result in an adverse impact upon highway safety.

The proposed development consisted of a seasonal accommodation for workers and did not relate to permanent residential use and would largely be screened by the existing buildings on the site. Therefore the proposal was considered to be acceptable in terms of the character and appearance of the surrounding area and it was not considered that it would result in an unacceptable detrimental impact upon the amenity of neighbouring land users. Furthermore it was not considered that the development would result in any adverse impact upon highway safety. Therefore the proposed development was considered to be in accordance with policy CS2, CS3 and CS4 of the adopted Core Strategy and policy IN4 of the Local Plan.

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 proposal was considered to be acceptable in terms of the character and appearance of the surrounding area and it was not considered that it would result in an unacceptable detrimental impact upon the amenity of neighbouring land users. Furthermore it was not considered that the development would result in any adverse impact upon highway safety. Therefore the proposed development was considered to be in accordance with policy CS2, CS3 and CS4 of the adopted Core Strategy and policy IN4 of the Local Plan.

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

- Many clients/ business occupiers were threatening to vacate the area should planning approval be granted.

- There had been no evidence to demonstrate alternative, more suitable accommodation had been sought which other operators requiring seasonal staff had had to do. This applicant should be required to do the same; once this had been done a further decision could be made.

- The permanent siting of the caravans would impact on the high level of security currently delivered on the site. Extra pressure would be put on security guards at entrances and exits onto and off the site.

- An increase in refuse would attract vermin due to additional household waste. Currently the site only had to dispose of business waste.

- Clients and visitors would see the caravans creating the wrong image, bringing the look of the area down.

- The caravans would deteriorate during the closed season.

- The sight of the caravans would de-value commercial property.

- If the application was approved it would set a precedent, if anyone had spare bit of land they could put caravans on it.

- This was not a residential area and should not be approved.

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

- The caravans represented less than 10% of the workforce and were only occupied for 8 months.

- Due to nature of the business there was a need to react to weather, hence staff on site.

- With regard to wildlife, they showed support by being a member of Industry Nature Conservation Association (INCA).

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

- This was a business park; people would be at risk living in these caravans.

- The caravans did not fit in with the character and purpose of the site.

- It stated within the report that the caravans had not been removed since 2012 due to adverse weather conditions. There had not been any notable adverse weather conditions in the vicinity of the site!

- Alternative arrangements should be investigated for the seasonal workers. Seasonal staff working on farms were provided with suitable facilities such as utility blocks. Were these seasonal workers being taken care of?

- Why couldn't the seasonal workers be in flats or bed and breakfasts?

- What would happen conditions were breached during the period the caravans were meant to be unoccupied?

- Had the applicant not already breached a condition by leaving the caravans on site since 2012?

Officers addressed the Committee in response to a number of concerns which had been highlighted. Their comments could be summarised as follows:

- Although the caravans had been on the proposed site since 2012 the application was to retain not occupy outside of the seasonal period.

- If the application was refused the caravans would still be on site from April until October.

A vote then took place and the application was refused for the reason set out below:

RESOLVED that planning application 13/3073/FUL Tees Valley Nursery, The Moat, Belasis Hall Technology Park be refused for the following reason:

In the opinion of the Local Planning Authority the proposed development would be detrimental to the character and appearance of the Belasis Business Park and Enterprise Zone as it would give rise to an unacceptable lowering of design

and amenity standards by the retention of permanent caravans on the site and introduced the perception of a permanent residential character to a prestigious employment site and was therefore contrary to Saved Stockton on Tees Local Plan Policy IN4a.

P 8/14 14/0650/FUL
Former English Martyrs Roman Catholic Church Site, Hardwick Road, Stockton-on-Tees
Part retrospective application for construction of new Car Parking to Vacant site

Consideration was given to a report on planning application 14/0650/FUL Former English Martyrs Roman Catholic Church Site, Hardwick Road, Stockton-on-Tees.

Planning approval was sought for the operation of a public car park on the site of the former English Martyrs church site. The church had been demolished and the car park was currently operating on a temporary surface. Therefore the application was part retrospective as the proposed development included a formal surface to provide 128 spaces, landscaping belt adjacent to the west of the site with barriers controlling the access point and exit points. The retaining wall would be restored and railings (which are subject to a means of enclosure condition) would be erected.

Five letters of objection had been received from residents and a further letter of objection had been received from the Ward Councillor. These were largely on the impact upon highway safety, visual impact and impact upon amenity of neighbouring properties.

There were residential properties to the west of the application site and residential properties approved to the north which had not yet been constructed. Owing to the layout of the proposed car park, the means of enclosure and the provision of landscaping which would provide screening it was not considered that the proposed car park would result in a detrimental impact upon the amenity of neighbouring residential properties.

The Environmental Health Unit had commented that they had no objections on noise or light nuisance grounds taking into account the existing car park opposite and busy highway adjacent. Furthermore any issues could be dealt with by management controls in place and a car park management condition was recommended.

The applicant had submitted a plan demonstrating sufficient visibility splay. The Head of Technical services had advised that as the car park would increase pedestrian movements across Hardwick Road toward the hospital there were currently no pedestrian crossing points within the vicinity of the site. The applicant should fund the construction of a pedestrian crossing point with dropped kerbs/tactile paving at a location to be agreed with Network Safety (likely to cost in the region of £2000). The applicant was therefore required to enter into a Section 278 agreement which would be secured by planning condition. Therefore subject to conditions relating to the management of the

operation of the car park and details of the finishing materials being submitted the Head of Technical Services raised no objections in terms of highway safety.

The Head of Housing had commented that the site was adjacent to an important area of housing regeneration. Therefore the visual impact of the development should be carefully considered. The layout of the car park had been amended to include a 3 metre wide buffer strip, adjacent to the southern and western boundaries of the car park, which would allow for meaningful planting to be provided. The Council's Landscape Architects considered that this would allow for sufficient screening to soften the appearance of the development. Therefore taking into account the mixed use nature of the surrounding area it was not considered that the development would result in an incongruous feature or appear out of keeping with the surrounding area.

As such, whilst objectors' comments were noted it was considered that the proposed car park was acceptable in terms of impact upon the amenity of neighbouring residential properties, character of the surrounding area and highway safety. Therefore the proposal accorded with policy CS2 and CS3 of the adopted Core Strategy. As such the application was recommended for approval subject to conditions.

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 proposed car park was acceptable in terms of impact upon the amenity of neighbouring residential properties, character of the surrounding area and highway safety. Therefore the proposal accorded with policy CS2 and CS3 of the adopted Core Strategy. As such it was recommended that the application be approved subject to the recommended conditions for the reasons set out within the main report.

Members were presented with an update report which since the publication of the main report, 1 additional representation had been received from Keepmoat (Ian Prescott, Land & Partnerships Director) who raised no objection in principle to the development but had raised concerns in respect to the quality of the drawings submitted and had requested planting along the north western boundary to the site to screen cars from the adjacent, approved residential development (currently being developed by Keepmoat).

With respect to matters of landscaping, it was not considered that the issues highlighted in the additional objection raised any new material planning considerations that had not been considered within the main Committee Report. With respect to the 'quality' of the drawings, the submitted details were considered to be satisfactory with respect to the assessment of the application. Consequently, the recommendation for approval remained unchanged.

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

- Objections had been received in respect of North Tees Hospital Trust. The car park advertised itself with hospital parking signs; however the car park had no connection to the hospital.

- Patrons using the proposed car park and attending the hospital who were entitled to claim their car parking fees back were trying to claim their expenses at the hospital, however could not do so as the proposed car park was a private car park and not a hospital car park.

- There was no capacity issue at the hospital car park to warrant this additional private car park.

- Patients using the proposed car park were crossing the road in dangerous places putting them at risk.

- If an additional pedestrian crossing was introduced this could have a negative impact on traffic flow, where there was already existing issues relating to congestion impacting on emergency ambulances/services.

- Housing would be a preferable option on the proposed site.

- A car park was detrimental to the development of the surrounding area.

Ward Councillor Nigel Cooke was in attendance and was given the opportunity to make representation. His comments could be summarised as follows:

- Concerned re the look of the perimeter wall.

- The entrance to the car park on Whessoe Road via a proposed barrier would cause backing up of traffic onto Hardwick Road.

- The hospital was looking to remove their current car park barrier system due to the issues it was causing in relation to traffic flow. The proposed barriers on this application could cause the same issues.

- Double Yellow lines had been put down on Whessoe Road to allow traffic and ambulances access to Aspen Gardens, although some people were also parking at Aspen Gardens to avoid parking charges.

- Disappointed as to how this application had managed to get to Planning Committee.

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

- Issues were raised in connection to traffic queuing and congestion in and around the surrounding roads to the car park. Concerns were raised that the location of the access points and the installation of a barrier operated entrance would cause obstruction to emergency services on the blue light access route to Aspen Gardens.

-False and misleading advertising was an issue as patrons using the car park who were entitled to claim their parking fees back from the hospital were unable to do so as it was not a hospital car park.

- How had the car park managed to be in operation prior to planning consent?

- Where would the cars be displaced to if the application was refused?

- There were plenty of places available in the hospital car park, however if the proposed car park was being used then it must be down to cost.

- Was a licence needed to operate a car park and if so did they have one?

- Did the car park owners have the relevant insurance and if so was this detailed on their notices?

- If the application was refused could the land be made unusable?

- If the application was refused today would the operation cease immediately or would it continue and only cease if it went to appeal and was refused?

- Health and Safety was an issue as members of the public were taking risks crossing from the car park to the hospital without using the available pedestrian crossing.

Officers addressed the committee in response to members concerns as detailed below:

- In relation to the concerns raised in connection with the proposed barrier, Members were informed that the applicant had proposed an expensive barrier which would only take seconds to open causing minimum disruption to the neighbouring roads.

- With regard to the advertising within the car park, this would be passed onto the relevant officers of Stockton Borough Council to investigate further.

- If the application was refused at this meeting and Members requested that the

car park ceased operating immediately then an enforcement notice would have to be issued. A stop notice would only be considered in exceptional circumstances. If the enforcement notice was appealed it would be held in abeyance pending the appeal so the car park use would continue.

- It was not illegal to buy a piece of land and operate a car park from it. The authority had approached the Secretary of State to make it illegal however this was refused. This meant the authority was left to take expedient action.

A vote then took place and the application was refused.

RESOLVED that planning application 14/0650/FUL Former English Martyrs Roman Catholic Church Site, Hardwick Road, Stockton-on-Tees be refused for the following reason:

In the opinion of the Local Planning Authority the development gave rise to unacceptable traffic congestion within the Whessoe Road and Hardwick Road areas which was also detrimental to the operation of emergency vehicles utilizing the North Tees Hospital and Aspen Gardens and thereby contrary to the interests of highway safety and the free flow of traffic.

In the opinion of the Local Planning Authority the development gave rise to an unacceptable cumulative impact on the amenity of nearby residents in terms of traffic congestion, restricted access to properties and obstructions of driveways together with the generation of noise and disturbance from the car park at times when the occupiers of the nearby residential properties could reasonably expect peaceful enjoyment of their homes.

P 9/14

1. Appeal - Mr J Parker - 14 Copse Lane Ingleby Barwick - 13/2697/RET -ALLOWED
2. Appeal - Mr G Tyers - Reivax High Lane Maltby - 13/1128/FUL - DISMISSED
3. Appeal - McDonalds Restaurant Ltd - Former Tristar Neasham Site thornaby - 13/1523/ADV - ALLOWED WITH CONDITION

RESOLVED that the appeals be noted.