

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 7th May, 2014.

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

**Officers:** C Straughan, B Jackson, P Shovlin, D James, J Hutchcraft (DNS); J Butcher, P K Bell (LD).

**Also in attendance:** Cllr Mick Moore, agent and members of the public.

**Apologies:** Cllr David Rose and Cllr Mick Stoker.

### **P Evacuation Procedure**

**10/14**

The evacuation procedure was noted.

### **P Declarations of Interest**

**11/14**

Cllr Steve Walmsley declared a personal interest in relation to agenda item 3 - 14/0787/REV - Land at Thorntree Farm and Rear of 93 Bassleton Lane, Thornaby - Revised application for residential development comprising the erection of two houses and six bungalows plus associated garaging and parking (demolition of Thorntree Farm) as he was a member of Thornaby Town Council who had been consulted on the application and had a policy against green wedge development. Cllr Steve Walmsley had not taken part in any Town Council debate on the application however and expressed his intention to speak and vote on the item.

### **P 14/0787/REV**

**12/14**

**Land at Thorntree Farm and Rear of 93 Bassleton Lane, Thornaby  
Revised application for residential development comprising the erection  
of two houses and six bungalows plus associated garaging and parking  
(demolition of Thorntree Farm)**

Consideration was given to a report on a revised application that sought planning permission for the erection of 2, two-storey dwellings and 6 bungalows plus associated garaging and parking on land at Thorntree Farm and to the rear of 93 Bassleton Lane. The scheme included the demolition of Thorntree Farm. The application site was located with the defined limits to development. The site was also within a designated Green Wedge.

The majority of the land fell within the established residential curtilage of 93 Bassleton Lane, which was a large, enclosed garden area with sporadic tree planting within the site. The remaining parcel of land formed part of Thorntree Farm and its associated car parking.

The Head of Technical Services (HoTS) had raised no objections to the application in terms of highway safety, car parking and vehicular traffic. The HoTS had queried whether the access road was to be adopted or not in terms

of pulling distances (of wheelie bins) for refuse collection. This matter was considered to be acceptable as set out in the report.

The Council's Landscape Officer had raised no objections to the scheme subject to the removal of / works to existing trees along the south east boundary, and details of soft and hard landscaping, which were secured by separate planning conditions.

No objections had been received from Environmental Health Unit subject to conditions relating to land contamination and hours of construction. Northumbrian Water Limited, Natural England and Tees Archaeology had also raised no objections subject to appropriate mitigation measures that were secured by separate planning conditions.

Objections had been received from Councillor Moore, Councillor Dalgarno, Friends of Tees Heritage Park and Thornaby Town Council. 49 letters of objection had been received to date, which were summarised in the main report but included the impact on the green wedge, the impact on highway safety and network capacity and the demolition of Thorntree Farm. 3 letters of support had been received.

Subject to the imposition of the relevant planning conditions which addressed the impacts of the development, the report recommended that the scheme was considered to accord with the general principles of the National Planning Policy Framework and accorded with the principles of sustainable development. The scheme as proposed 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 would not have an adverse impact on highway safety and was satisfactory in respect of other material planning considerations including drainage and ecology.

The application was recommended for approval accordingly.

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

With regard to publicity 49 objections had been received and their addresses were detailed within the report. Objections had also been received from Councillor Ian Dalgarno, Councillor Mick Moore, Thornaby Town Council and Friends Of Tees Heritage Park. The objections received were summarised within the report.

3 letters of support had been received and their addresses and comments were detailed within the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15th January 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

The Planning Officer's report concluded that the impacts of the proposal had been considered against national and local planning guidance. The application site was within the defined limits to development but fell within a designated Green Wedge and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan.

Housing applications were to be considered in the context of the presumption in favour of sustainable development. It was considered that there were material considerations that outweighed the policy of constraint in this instance (CS10) and there were no adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable including design and layout, highway safety, it did not adversely impact on neighbouring properties (or future occupiers) or the ecological habitat.

In view of the above considerations, it was considered that the proposed scheme addressed the reasons for refusal of development on the site in 2008 (reference 07/3337/FUL).

It was recommended that the application be approved with conditions.

Members received an update report that outlined that since the publication, 4 further objections had been received in respect of the impact on the Green Wedge and Tees Heritage Park, the proposal would exacerbate existing traffic problems, the demolition of Thorntree Farm and drainage problems.

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

The agent for the applicant was in attendance at the meeting and was given to opportunity to make representation and his comments could be summarised as follows:-

\* The applicant and agent had worked with the case officer to achieve a compromise solution and they had therefore withdrawn the previous application

for the site.

- \* The proposed development would be an advantage to the area and the Borough as a whole.
- \* There is a shortfall of bungalows in the Borough
- \* The land is on green wedge but the area is enclosed and therefore will not be an incursion into the green wedge

Members were then given the opportunity to comment and ask questions and these could be summarised as follows:-

- \* The land is part of the green wedge, heritage park and a gateway and therefore should be refused
- \* The benefit to the 5 year housing supply doesn't outweigh the disadvantages of the application
- \* The Council should adhere to the Local Plan
- \* Tees Heritage Park has a very bleak future if applications are approved in the green wedge
- \* There shouldn't be a free for all on the green wedge
- \* The scale and mass of the development were not appropriate for the site
- \* The same reasons for refusal identified by the Planning Inspector still apply to this new application

A vote then took place and the application was refused.

RESOLVED that planning application be refused for the following reason:-

In the opinion of the Local Planning Authority the scale and mass of the proposed development would appear large and at odds with the open and rural character of the Bassleton Beck area which bounds the site on three sides and forms part of the Tees Heritage Park. The proposal would seriously detract from the open nature of the landscape within the green wedge and the local identity and setting of the settlements that it separates and is therefore contrary to the Stockton on Tees Adopted Core Strategy Policy 10 (3ii).

## **P 13/14**      **PLANNING PERFORMANCE**

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

DCLG published a draft version of the Single Data List (SDL), which was intended to replace the previous performance management systems –National Indicators, etc. The SDL was a basic catalogue of all the data collections (existing and proposed) that central government departments required from local authorities. There were 152 separate data collection topics within this Single Data List, with 64 of these relating directly to Development and Neighbourhood Services. The large majority of these data collections were already undertaken within services, with only a small number of new data collections proposed.

Within the SDL, the data collections that would be required from Planning remained much the same as reported already, and revolved around the performance of managing planning applications, enforcement, green belt land data, previously developed land data and the Annual Monitoring Report for the

LDF. There would be 5 data collections and then 41 data topics within the 5 broad collection areas.

It was therefore proposed to continue reporting performance to committee in 2013/14 along the lines that we have done already, as CLG had indicated that they wished this particular reporting criteria to remain. The performance level for this year therefore remained at 75% for majors, 80% for minors and 88% for other applications.

The reporting timeframe ran from 1st April - 31st March each year. The report presented the performance of the final quarter in that period, 1st January to 31st March 2014 and the annual performance for 2013/14.

Performance results achieved for the final quarter were 100% for major applications, 89.86% for minor, 94.85% for others and 100% for County matters, achieving above performance in all categories.

There were 10 major applications determined within this quarter, all of which were determined in time. Members noted that for the first time "County Matters" application were being reported. This had come about because the type of applications which were previously determined by the former Cleveland County Council and now determined by Stockton Borough Council as unitary authority, mainly waste and mineral type applications, were still meant to be reported separately, whereas we had been mistakenly reporting them under major, minor or others. These would be separated out and reported as such from now on, and the previous records had been adjusted to meet this requirement.

Members noted the performance report and acknowledged the hard work and dedication of Planning Staff and colleagues within other service areas to determine applications within the target periods and improve performance and the reputation of the Council.

RESOLVED that the quarterly report be noted.