

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 30th July, 2014.

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

**Officers:** Peter Shovlin, Barry Jackson, Ruth Hindmarsh(DNS), Julie Butcher, Michelle Jones, Jenna McDonald(LDS)

**Also in attendance:** Applicants, Agents and Members of the public

**Apologies:** Cllr Jean Kirby, Cllr David Rose, Cllr Mick Stoker, Cllr Alan Lewis, Richard McGuckin

**P**        **Evacuation Procedure**

**46/14**

The evacuation procedure was noted.

**P**        **Declarations of Interest**

**47/14**

Cllr Andrew Sherris declared a personal non prejudicial interest in relation to item number 7, 14/1254/VARY 15 - 17 Thirsk Road as he was a trustee of the recreation ground to the rear of the site and his in-laws looked over the site.

**P**        **Minutes from the meeting which was held on the 28th May 2014.**

**48/14**

Consideration was given to the minutes of the meeting held on 28th May 2014.

AGREED that the minutes were signed by the Chairman as a correct record.

**P**        **Minutes from the meeting which was held on the 18th June 2014**

**49/14**

Consideration was given to the minutes of the meeting held on 18th June 2014.

AGREED that the minutes were signed by the Chairman as a correct record.

**P**        **Minutes from the meeting which was held on the 26th June 2014.**

**50/14**

Consideration was given to the minutes of the meeting held on 26th June 2014.

AGREED that the minutes were signed by the Chairman as a correct record.

**P**        **14/1254/VARY**

**51/14**

**15 - 17 Thirsk Road, Yarm, Cleveland**

**Section 73 application to vary condition no.2 (Approved Plans) of planning approval 11/2444/FUL - Erection of Dormer Bungalow and associated access**

Consideration was given to a report on planning application 14/1254/VARY - 15-17 Thirsk Road, Yarm, Cleveland. Section 73 application to vary condition no.2 (Approved Plans) of planning approval 11/2444/FUL - Erection of Dormer

Bungalow and associated access, approved on the 20th February 2012.

Planning permission was sought for the full erection of a dormer bungalow and associated access on land to the rear of 15-17 Thirsk Road.

Members were informed that the site was located within the rear garden of existing dwellings situated along Thirsk Road in Yarm. The site was bounded by residential curtilages to each side at No.13 (north) and No.19 (south). Whilst to the rear of the applicants land there were tennis courts associated with Yarm Sports and Social Club on Leven Road.

The street scene along Thirsk Road, consisted of a varied mix of house types ranging from detached two storey houses, detached bungalows (dormer) and semi-detached dwellings with large rear gardens. The site had two separate access points from the adjacent highway. There were a number of trees both within the site and in adjacent garden areas including a line of mature trees and hedgerow along the northern and southern boundary. The rear perimeter of the site, contained a high hedgerow with a small opening of high mesh fencing, which overlooked the tennis courts of Yarm Sports and Social club.

It was noted that the application proposed a number of changes including:

- an increase in the building footprint as an attached garage had been added and a rear extension and the property is wider than originally approved.
- changes to the means of enclosure including the replacement of proposed wall with fence and removal of some fencing adjacent the proposed dwelling
- The internal layout had been reconfigured and now included an additional bedroom
- Proposed porch removed and a canopy would run across a large part of the front of the dwelling
- The style of the dormer windows had been amended
- The ridge height was approximately 300mm higher

The proposed site plan did not include the same level of landscaping details however; this information was requested and controlled via condition.

Letters of objection had been received from the neighbouring properties on either side and further neighbouring properties within the area. The number of people objecting was 6 and the application was therefore being reported for determination by Planning Committee due to the number of objections received being more than 5 under the scheme of delegation.

Objections, detailed in the report, raised concerns regarding the impact of amenity of neighbouring occupiers, overdevelopment of the site and highway issues.

An objector was in attendance and given the opportunity to make representation. The objector spoke against the planning application on the grounds of overdevelopment of the site and highway issues.

A vote took place and the application was approved.

AGREED that planning application 14/1254/VARY be approved subject to the

following conditions and informatives below;

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

Plan Reference Number	Date on Plan
1547/5B	20 June 2014
1547/7A	20 June 2014

Reason: To define the consent.

Conditions to be discharged prior to commencement

02. Car parking surface

No development shall commence on site until full details of hard surfacing materials for the provision of car parking have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development for surface water disposal.

03. 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 dwelling 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.

Reason: To define the consent

04. Means of Enclosure

All means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development commences. All enclosures including boundary walls and fences as approved shall be completed before the dwelling is occupied.

Reason: In the interests of the visual amenities of the locality.

05. Soft Landscaping

No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be 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. 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 Local Planning Authority in writing in the first planting season following the occupation of the dwelling.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

06. Tree and Hedge protection

No development shall commence until a scheme for the protection of trees and hedges (Section 7, BS 5837:2005 and Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007 ) including an Arboricultural Method Statement and Tree and hedge Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British

Standard are summarised in the technical note ref INFLS 1 (Tree Protection) a copy of which can be forwarded on request.

Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

The following works are not allowed under any circumstances:

No work shall commence until the approved Tree and Hedge Protection Barriers are erected, such as herras fencing

No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree and hedge.

No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree or within the Root Protection Zone and 5 metres of the hedge

No materials shall be stored or machinery or vehicles parked within the Root Protection Zone and 2 metres of a hedge

No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone and within 5 metres of the hedge.

No unauthorised trenches shall be dug within the Root Protection Zone and 2 metres of the hedge

No alterations or variations to the approved works or tree and hedge protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure that the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality will be appropriately maintained and protected.

#### 07. Refuse details

Prior to commencement of development details of bin storage shall be submitted to for consideration and approval by the Local Planning Authority.

The approved scheme shall thereafter be implemented in full, available concurrent with the first occupation of the dwelling hereby approved and retained for the life of the development.

Reason: In order that the Local Planning Authority may exercise further control in the interests of the visual amenity of the area and amenity of adjoining and future occupiers.

#### Conditions to be Implemented

#### 08. Materials

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).

Reason: To enable the Local Planning Authority to control details of the proposed development.

#### 09. Existing landscape protection

No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local

Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

10. Construction hours

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.

Reason: To avoid excessive noise and disturbance to the occupants of nearby premises.

11. Land contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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 prior to resumption of the works

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. Obscure glazing

The bathroom window within the northern elevation of the dwelling hereby approved; shall be glazed with obscure glass (minimum level 4). The approved glazing shall be installed before the building hereby permitted is brought into use and retained in perpetuity.

Reason: In the interests of the amenity of the occupiers of the adjacent property

Informative 1: National Planning Policy Framework

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

**P  
52/14**

**14/0192/FUL**

**P & J Shepherd, Fulthorpe Farm , Wynyard Road, Thorpe Thewles  
Erection of 3 bedroom agricultural workers dwelling**

Consideration was given to a report on planning application 14/0192/FUL - P & J Shepherd, Fulthorpe Farm, Wynyard Road, Thorpe Thewles Erection of 3 bedroom agricultural workers dwelling.

The planning application sought consent for the erection of a 3 bedroom dwelling to serve the needs of an agricultural worker on the land at Fulthorpe Farm, near Thorpe Thewles. It was highlighted that the applicant owned a parcel of land and buildings to the east of the main farm buildings at the site. The parcel of land owned extended to approximately 4.5 acres.

The site was outside the limits to development where development was only considered acceptable if there was shown to be an essential need for the development. The applicant ran a cattle business, managed grassland and also

ran a machinery contracting business.

Seven letters of support were submitted with the application, as detailed in the report, and no objections had been received from standard consultees.

The agent and a supporter of the application were in attendance and given an opportunity to speak in support of the application. Their comments can be summarised as follows:

- The applicant would only be able to ensure efficient animal welfare by living on the site and therefore required a permanent residence.
- The site was home to a successful agricultural business and provides employment.

It was highlighted that there was a need for one or more agricultural workers to be on the farm at all times in order to deal with cattle, crops and products immediately when required. It was highlighted that having an agricultural worker available at all times would prevent distress to injured and sick animals. The agricultural workers on Fulthorpe Farm were currently living in a caravan.

The Committee heard that the Fulthorpe Farm intended on offering agricultural apprenticeships in the future. It was agreed that sustainable countryside employment should be encouraged.

Members considered that there was a need for a dwelling on the farm to facilitate an agricultural worker at all times.

A vote took place and the application was approved subject to conditions.

AGREED that the application be approved subject to an agricultural occupancy condition and other conditions deemed necessary by the Head of Planning.

**P  
53/14**

**12/2784/OUT**

**Land to the North of Lion Court, North Of the A689, Wynyard Park  
Outline planning application for the erection of up to 400 dwellings, a potential 2 form entry primary school, a local centre of up to 250sqm (Use Classes A1 to A5), changing facilities, playing field, open space, landscaping and associated infrastructure (all matters reserved except access).**

Members were asked to consider a requested extension of time in order to finalise the legal agreement.

The Committee considered and approved planning permission at the meeting on 1 April, subject to the applicant entering into a Section 106 Agreement. The target date for signing the agreement was 31 July 2014. The applicant had advised that they were unable to meet this deadline and requested an extension of time in order to finalise the legal agreement.

Members noted that deadlines for the signing of Section 106 Agreement were set to ensure that planning applications were determined within the target date, however in this instance the application was outside the target date so a

deadline was not necessary. It was acknowledged that the applicant was committed to delivering housing on the site within a realistic and achievable timescale.

AGREED that the timeframe for the legal agreement to be signed be extended for a period of five months to 31 December 2014.

**P**            **13/0342/EIS**  
**54/14**      **Land at Wynyard Village,**  
**Outline application for the construction of up to 500 houses, Primary**  
**School (inc Sport Facilities) and nursery, Retail Units (up to 500 sqm),**  
**Doctors Surgery, Community Facilities, access and associated**  
**landscaping, footpaths and open space (all matters reserved).**

Members were asked to consider a requested extension of time in order to finalise the legal agreement.

The Committee considered and approved planning permission at the meeting on 1 April, subject to the applicant entering into a Section 106 Agreement. The target date for signing the agreement was 31 July 2014.

Members were informed that the applicant had submitted the draft Section 106 Agreement and this was currently being considered by Council Officers. In the event that the deadline was unable to be met it was requested that an extension of time be granted in order to finalise the legal agreement.

Members noted that deadlines for the signing of Section 106 Agreement were set to ensure that planning applications were determined within the target date, however in this instance the application was outside the target date so a deadline was not necessary. It was acknowledged that the applicant was committed to delivering housing on the site within a realistic and achievable timescale.

AGREED that the timeframe for the legal agreement to be signed be extended for a period of five months to 31 December 2014.

**P**            **14/0807/OUT**  
**55/14**      **Land Off Busby Way, Mount Leven, Yarm**  
**Outline application for residential development of 14no. units with**  
**associated access from Busby Way**

It was noted that the item had been withdrawn from the agenda.

**P**            **Planning Performance**  
**56/14**

Members were provided with an update on the current performance of the planning department for the first quarter of 2014/2015.

It was highlighted that performance targets had been met and exceeded.

AGREED that the information be noted.

