

Planning Committee

A meeting of Planning Committee was held on Wednesday, 22nd October, 2014.

Present: Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Jim Beall, Cllr Philip Dennis, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Ken Lupton, Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E , Cllr Mick Stoker, Cllr David Wilburn

Officers: Andrew Glossop, Joanne Hutchcraft, Barry Jackson, Daniel James, Richard McGuckin, Martin Parker, Peter Shovlin, Carol Straughan,(DNS), Julie Butcher, Sarah Whaley(LD)

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

Apologies: Cllr Alan Lewis

P **Evacuation Procedure**

67/14

The evacuation procedure was noted.

P **Declarations of Interest**

68/14

There were no declarations of interest.

P **Minutes from the meetings which were held on the 9th and 30th July 2014.**

69/14

Consideration was given to the minutes of the meetings which were held on the 9th and 30th July 2014 for approval and signature.

RESOLVED that the minutes be approved and signed as a correct record.

P **Minutes from the meetings which were held on the 20th August and the**
70/14 **10th September 2014.**

Consideration was given to the minutes of the meetings which were held on the 20th August and 10th September 2014 for approval and signature.

RESOLVED that the minutes be approved and signed as a correct record.

P **14/2168/FUL**

71/14

1 The Crescent, Eaglescliffe, Stockton-On-Tees

Proposed two storey and single storey extensions to rear, installation of first floor window in side elevation, erection of detached garage (demolition of existing garage) and erection of an approximately 2.3m high wall (with access gate) to rear.

Consideration was given to report on planning application 14/2168/FUL
1 The Crescent, Eaglescliffe, Stockton-On-Tees.

The application sought planning permission for the erection of a two storey extension and single storey extension to the rear, the installation of a first floor window in the existing side elevation, the erection of a detached garage to the rear (demolition of existing garage) and erection of an approximately 2.3m high wall (with access gate) to the rear of No 1 The Crescent.

The application site related to a detached, two storey dwelling located along The Crescent, Eaglescliffe, Stockton on Tees. To the north was No 3 The Crescent with residential properties along South View which were to the south (No's 8-11, inclusive). West View (Urray Nook Road) was immediately to the west/rear of the site. The property was currently served by a detached garage that projected along the adjacent boundary with No 3, whose detached garage and an adjoined garden room were also along the adjacent rear boundary.

The Head of Technical Services had raised no objections to the scheme.

15 objections had been received to date as set out within the main report. The objections included the impact on the amenity of neighbouring properties, the development was out of character with the area and resulted in overdevelopment of the site, the use of the proposed garage was not specified and could be used for commercial purposes with resultant impacts on noise, pollution, and car parking problems.

1 letter of support had been received.

The scheme as proposed was not considered to have an unacceptable adverse impact on the character and appearance of the existing property or street scene, or lead to an unacceptable loss of amenity for neighbouring properties or have an adverse impact on highway safety.

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.

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 shall 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 shall 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 main report.

The Planning Officers report concluded that the application be Approved with

Conditions for the reason(s) specified within the main report.

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

- The garden at the proposed application property would back on to the garden of the supporter and would impact his property more than any other, however he felt there was no reason why this application should not go ahead and the objections should be thrown out.
- The supporter welcomed a site visit to his back garden to show how little the application, if approved would in fact impact on the surrounding properties.

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

- A letter had been sent on the 1st September 2014 to the applicant from a neighbour requesting clarification in relation to shared drainage and a shared boundary fence, however as yet no response had been received.
- There was confusion in relation to measurements which were stated on the proposal as approximations had been given and objectors were seeking clarity as to the length and height of the unbroken brickwork.
- Clarity was sought as to the intended use of the garage as French doors had been included on the plans.
- There would be loss of light into a neighbouring garden and loss of amenity.
- No other resident in the street had developed beyond the original boundary line.
- There seemed to be a lot of building for the size of plot.
- Objectors expressed they would feel hemmed in and that the garage wall would fill the whole aspect of a neighbouring garden.

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

- The applicant had worked closely with Officers of Stockton Borough Council to address any issues that they felt may be raised.
- The design was in keeping with the street scene, size of plot and appearance of adjacent dwellings.
- The garage was for purely domestic purposes and there was no intention to use it for commercial purposes.
- In relation to the boundary fence, there was no intention to touch this, i.e. it would be retained.

Officers addressed the Committee in response to some of the issues raised by the Objectors as follows:

The report indicated that the main element of the proposed garage, with the exception of the parapet wall design at the front of the garage (max. height approx. 2.9m x 0.25m in depth), would feature a maximum height of 2.5m, which accorded with the provisions of permitted development. Although this would cause adverse impact, it was within government guidelines.

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

- Concerns were raised in relation to the solid block of brickwork; it was felt that this did not fit in well with the area.
- Issues surrounding the size of the proposed garage were raised.

Officers responded to the issues by members as follows:

- Although the proposed garage was bigger than a single garage, the applicant could in fact increase its size under permitted development and could build brick walls as permitted development and usually the cost of construction was the reason why wooden fences were more prevalent.

A vote then took place and the application was approved.

RESOLVED that planning application 14/2168/FUL be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date on Plan
1416-14-001	8 August 2014
1416-14-003 B	18 August 2014
1416-14-004 C	14 August 2014
1416-14-005 C	18 August 2014
1416-14-006 D	21 August 2014
1416-14-002 C	17 September 2014
1416-14-007 D	15 September 2014
1416-14-008 D	15 September 2014
1416-14-009 D	15 September 2014

Conditions to be Implemented

02. Prior to the development hereby approved being brought into use, the additional hard standing area for the driveway to provide 3 in curtilage car parking spaces shall be implemented in accordance with plan 1416-14-004 C (date received 14th August 2014) and constructed from porous/permeable materials or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. The approved car parking layout shall be retained for the lifetime of the

development.

03. The external finishing materials shall match with those of the existing building

04. The proposed brick pillar indicated on plan 1416/14/004 C (date received 14th August 2014) shall not exceed 1m in height (from the given ground level) unless otherwise agreed in writing with the Local Planning Authority.

05. The 1 no. window to be installed within the first floor side (south) elevation (serving a bathroom) as indicated on plan 1416-14-009 D (date received 15th September 2014) shall be top hung opening and obscurely glazed using a minimum of type 4 opaque glass and shall remain for lifetime of the development hereby approved.

Conditions to remain in perpetuity

06. The garage to which the permission relates shall be used for the parking of private motor vehicles, ancillary storage and purposes incidental to the enjoyment of the occupants of the dwelling house and no other purpose.

Informative 1: National Planning Policy Framework

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

Informative 2: Provision of dropped kerb

The applicant should contact Direct Services regarding widening the dropped vehicle crossing to serve the additional parking spaces.

**P
72/14**

14/2496/REV

Land East Of 661, Yarm Road, Eaglescliffe

Revised application for the formation of a car park including maintenance access to river and associated infrastructure and landscaping works

Consideration was given to report on planning application 14/2496/REV Land East Of 661, Yarm Road, Eaglescliffe.

Planning permission was sought for the development on land to the rear of 661 Yarm Road, Eaglescliffe to create a 34 space car park. An application was previously submitted and refused by the Planning Committee for a car park on the site earlier this year. The reasons for refusal related to loss of landscaping to the northern site boundary, unacceptable impact on residential amenity due to window positions in the adjacent apartment block and the proposed access into the site being unsuitable. This application had been submitted with changes which sought to address the previous reasons for refusal.

The site was currently occupied by a workshop / storage building and areas of hardstand and landscaping and is located behind an apartment block and the Blue Bell Public House to the north of Yarm Bridge.

The proposal would result in the removal of the existing building on site, the forming of the car park surface and works to the access, re-grading works to the

land, retaining features to the northern, eastern and western sides, landscaping works, lighting, CCTV, Pay meter and fencing works.

Objectors considered that the submission did not address the previous reasons for refusal, mainly raising objection in respect to the impact of traffic into and out of the site on existing traffic flows, on pedestrian safety and on the occupants of the existing apartment block. The suitability of the access was also a point of objection.

The Head of Technical Services considered that the access and egress arrangements for the proposed car park were acceptable and that the amount of traffic into the site was acceptable taking into account previous levels of traffic associated with past uses.

The proposed car park was adjacent to an apartment block, the rear elevation of which was built along the boundary of the site and which had habitable room windows within it. The proposal had been amended from the recently refused application by moving the car park spaces and hardstanding away from the windows within the apartments and allowing for landscaping in the intervening area. This was considered to be a notable improvement in the relationship between the existing and proposed uses and was considered to be sufficient to address the previous reason for refusal. Additional parking was also proposed to the northern site boundary to address the Planning Committee's previous concerns on this matter.

The site was within a Conservation Area, within a special landscape area, within the green wedge and within view of a listed church and bridge. The proposal would impact on these designations, however, the additional land take of the car park from that of the existing was not considered significant, and the existing building on site would be removed and new landscaping works would take place. In view of these and other matters it was considered that the impacts on these designations would not warrant the refusal of the application.

Members were presented with an update report, which detailed additional comments/objections which had been received from interested parties in respect to the application, the full details of which were contained within the update report.

The main issues which were highlighted were as follows:

Information relating to the Car park management and ownership, an online petition which had been raised objecting to the Car Park, Highway related matters and other matters relating to objections which had been raised that the scheme did not meet the requirements (for application 12/1990/EIS) in relation to the electric vehicle charging points required as part of the section 106 agreement for the Greens Lane Housing Scheme.

The additional letters of objection and points raised did not affect the recommendation made within the main report and the proposed car park remained to be considered and recommended for approval in accordance with details within the main report.

The consultees that 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 shall 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 shall 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 main report.

The Planning Officers report concluded that the proposal was considered to represent a suitable form of development without significant detrimental impact on residential amenity and without undue risk to highway safety having addressed the reasons for refusal relating to the previous proposal. The impacts on land designations were considered to be sufficiently limited and subject to controlling conditions, it was considered that the proposed development was in accordance with relevant development plan policies. It was recommended that the application be Approved with Conditions for the reason(s) as specified within the main report.

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

- Details of what the proposed land had previously been used for.
- Officers were not questioning anything the developer was proposing.
- Astonished to read that the developer may allow Stockton Borough Council to manage the Car Park. The developer would not give this land to the Council.
- None of the previous issues had been resolved.
- 2 and a half years ago Bellway homes proposed a development with a Car Park, why would Bellway homes have interest in a car park?

Officers addressed the Committee in response to some of the issues raised

- There had been no formal agreement made that Stockton Borough Council would operate the Car Park, however this may be a future consideration but

was not relevant to this meeting.

- There was is an obligation for the developer to provide electric vehicle charging points as part of a car park or commuted lump sum in respect of an application approved for Green Lane but that is not relevant to this application. The main report also addressed the objection based on the absence of the electric vehicle charging points, which were not a specific requirement of this application, and that mechanisms existed to still enable the section 106 obligation in this regard to be discharged, including a variation to the section 106 agreement.

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

- The Applicant had worked proactively with Stockton Borough Council and had received no objections from statutory consultees or relevant departments within the Council.
- The proposed landscaping scheme sat comfortably in the adjacent area to the Car Park.
- Access had been altered and a buffer to the apartment blocks had been provided.
- Traffic movement in and out of the Car Park would not adversely affect other neighbouring moving traffic.
- The existing building on the proposed site which was used as storage by the local Scouts was in a poor state of repair and had been approved for demolition.
- The Developer was working to find alternative storage for the Scouts.
- A Long Stay Car Park had been identified as a requirement in Yarm. This proposal would provide the Long Stay Car Park within easy walking distance of the High Street.

The Head of Technical Services addressed the Committee and his comments could be summarised as follows:

- There had been a welcomed reduction from 40 to 34 spaces which allowed for the improved access to the Car Park.
- The Car Park would have low usage due to it being Long Stay.
- An independent survey had been commissioned of the junction which was in close proximity to the proposed Car Park. The findings showed that during peak times such as lunch time there were sufficient gaps to allow all movements in free flowing traffic.

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

- Concerns were raised that a site visit had not been undertaken.
- As there were approximately 60 cars coming in and out of the local pub car park which would be crossing the same road, could not see why the new Car Park would cause further impact.
- Car Parking spaces were needed in this area.
- Would hope the developer continued to find an alternative storage unit for the Scouts.
- The revised scheme was welcomed and addressed all previous issues which had been raised...
- The ancient hedge way needed to be retained as much as possible.

A vote then took place and the application was approved.

RESOLVED that planning application 14/2496/REV 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
SD-90.00	18 September 2014
886/01	18 September 2014
SD-90.01	18 September 2014
SD-90.04	18 September 2014

02. Hours of Use

The car park hereby approved shall only be operational as a car park between the hours of 7.30 am and 6.30pm on any given day.

03.Car Park Management Plan

A scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority prior to the car park hereby approved becoming operational. The scheme shall include but not be restricted to signage, hours for lighting and any car park control procedures including its use for long stay parking. The scheme shall include a complaints procedure in the event of complaints being received from residents in the vicinity of the car park relating to the use of the car park outside of the permitted hours, and mitigation measures in the event that the local planning authority deem that use to be detrimental to the amenity of the neighbours/complainant, including use of a car park barrier system. The scheme shall include details of the barrier type, its automated operation and timescales for its installation if required by the local planning authority. The car park shall be managed in accordance with the agreed scheme for the operational life of the car park and, if installed, the barrier shall be operated in accordance with the agreed scheme thereafter for the operational life of the car park.

04. Finished ground levels

The development shall be carried out in accordance with the ground levels detailed on approved plan 886/01 unless an alternative scheme of ground levels has been submitted to and approved in writing by the Local Planning Authority.

05. Surface Treatment of Car Park Notwithstanding details on the plans hereby approved, all hard surfacing within the site will be in accordance with details which are first submitted to and approved in writing by the Local Planning Authority. The car park shall be constructed in accordance with the approved details and shall be maintained as such thereafter.

06. Landscaping Scheme - (soft landscaping scheme, implementation and maintenance)

Notwithstanding details hereby approved and prior to the commencement of works on site a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details including the species, numbers and locations of planting, timescales for implementation, a long term maintenance schedule and management plan where applicable. The development shall be carried out and maintained in accordance with the approved scheme.

07. Tree and landscaping protection

No development hereby approved, including any preparatory works to the ground, shall commence until a scheme for the protection of trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the precise location of protective fences, areas of material storage within the site and root protection zones. The approved scheme of protection shall be implemented on site prior to construction works commencing on site and shall be maintained throughout the period of construction.

08. Lighting Scheme

Notwithstanding details on the plans hereby approved, there shall be no lighting erected within the car park unless it is in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail elements including the height of lighting columns, their positions, their style, colour and appearance, the light type, its lux, angle of direction and shielding.

09. Surface Water Drainage

No development hereby approved shall be commenced on site until a scheme of surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The car park shall not be brought into use until the approved surface water drainage scheme has been implemented on site.

10. 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.

11. Vehicle gate within car park

The vehicle gate and access provided along the southern car park boundary as

detailed on the approved plans shall be used in relation with the maintenance of the existing surrounding land and no other purpose.

12. Open burning

No waste products derived as a result of clearing the land hereby approved shall be burned on the site except in a properly constructed appliance of a type and design which has first been submitted to and approved in writing by the Local Planning Authority.

13. 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.

14. Retained planting area

The planting area adjacent to the apartment block to the western site boundary shall be provided and maintained as approved and as an area of planting in perpetuity.

Informative 1: National Planning Policy Framework

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

Informative 2: Replacement Chicane detail and long term management of car park.

The replacement chicane detail shown on the plans is not required as part of this permission. Notwithstanding this, should the applicant wish to provide this, they should do so in accordance with the process requirements of the Local Highways Authority. Contact with the highways authority for this and to discuss the long term management of the scheme should be made.

P 73/14 Report on Recent Correspondence between the Council and Ministers within the Department for Communities and Local Government

Members were presented with a report which detailed recent correspondence between the Council and Ministers within the Department for Communities and Local Government

It was highlighted that Stockton Borough Council proactively fulfilled its planning role, and actively promoted sustainable development, it approached development management decisions positively – looking for solutions rather

than problems so that applications could be approved wherever it was practical to do so. It also attached significant weight to the benefits of economic and housing growth.

Consequently the Planning Committee and the Council had sought to enter into constructive dialogue with Government Ministers in the Department for Communities and Local Government to attempt to bring about significant changes in the National Planning Policy Framework to more accurately reflect and address housing delivery issues within the Borough.

The report was for information and set out the correspondence which had taken place between the Council and Government Ministers since the introduction of the National Planning Policy Framework.

RESOLVED that the report be noted.

**P
74/14**

**1. Appeal - Mr H Shan - 49 Redhill Road Stockton - 14/0059/COU
-DISMISSED**

**2. Appeal - Mr William Gate - Former English Martyrs Roman Catholic
Church Site Hardwick Road Stockton - 14/0650/FUL - ALLOWED WITH
CONDITIONS AND AWARD FOR COSTS ALLOWED**

**3. ENFORCEMENT APPEAL - Mr Michael Lowson - Land at Blakeston Croft
Farm Blakeston Lane Stockton - DISMISSED AND ENFORCEMENT
NOTICE UPHELD**

RESOLVED that the appeals be noted.