

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 14th January, 2015.

**Present:** Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Jim Beall, Cllr Phillip Dennis, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Tracey Stott(Vice Cllr David Rose), Cllr Steve Walmsley, Cllr David Wilburn

**Officers:** Simon Grundy, Joanne Hutchcraft, Barry Jackson, Jane palmer, Peter Shovlin, Carol Straughan, Rosemary Young(DNS), Julie Butcher, Sarah Whaley(LD)

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

**Apologies:** Cllr Ken Lupton, Cllr David Rose

**P           Evacuation Procedure**

**97/14**

The Evacuation Procedure was noted.

**P           Declarations of Interest**

**98/14**

Councillor Walmsley declared a personal interest in relation to item 4, 14/2255/FUL Karelia , The Drive, Thornaby, as an extended member of his family lived within the vicinity of the proposed application. Councillor Walmsley declared that he was not predetermined prior to the meeting and did take part in the vote.

**P           Minutes from the meeting which was held on the 3rd December 2014.**

**99/14**

Consideration was given to the minutes of the meeting which was held on the 3rd December 2014 for approval and signature.

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

**P           14/2255/FUL**

**100/14   Karelia , The Drive, Thornaby**

**Proposed alterations to existing bungalow to include increasing the roof height, dormer window to front, 3.no velux windows, single storey extension to side/rear and porch extension (demolition of existing conservatory to front and lean to conservatory to rear)**

Consideration was given to a report on planning application 14/2255/FUL Karelia, The Drive, Thornaby.

Planning permission was sought for a single storey extension to the side/rear and porch extension at Karelia. The proposal also included increasing the roof height to accommodate a first floor which would include 3 velux roof lights being positioned on the west side elevation and a dormer window within the front elevation. The proposal would alter the property from three bedrooms to five bedrooms. The proposal included the removal of the conservatory located to the front of the property and also the lean to conservatory to the rear.

A total of 7 letters of objection along with objections from Councillors Dalgarno and Moore had been received. The objections were detailed in full within the main report but included comments on the highway impacts on The Drive and surrounding streets, loss of privacy, loss of light, overbearing impact, over development of the site and impact on the character and appearance of the street scene. 4 letters of support had also been received which in summary stated the extension would enhance the property, that properties in the area had similar numbers of car parking provision and that it would improve the insulation of the property.

The Head of Technical Services and the Environmental Health Unit Manager had raised no objections to the scheme.

For the reasons set out within the main report, the proposed scheme was not considered to have an unacceptable adverse impact on the character and appearance of the street scene, or lead to an unacceptable loss of amenity for neighbouring properties or have an adverse impact on highway safety.

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

Neighbours were notified and the comments 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 proposed development was considered to be visually acceptable and given its position within the street scene was unlikely to have any significant visual impacts. The scheme was also not considered to have any detrimental impacts on the amenity of the neighbouring occupiers or highway safety. The proposal was therefore considered to accord with the relevant planning guidance contained within the Core Strategy and the National Planning Policy Framework and consequently it was recommended that the application be Approved with Conditions for the reasons as set out within the main report.

Members were presented with an update report which detailed that since the original report to Members of the Planning Committee an additional objection comment and support comment had been received in respect of the application. Full details of which were contained within the update report.

The original officer report addressed the concerns raised regarding the increase in traffic to the cul-de-sac and the parking issues. With the proposal not increasing the number of car parking spaces at the property, the proposal was not considered to have any significant impact in terms of highway safety.

The additional comments received related to the damage to the private roadway and the potential damage to the roadway generated by the development along with the potential for their driveway area to be blocked in by construction vehicles. These comments had been noted however with the road not being an adopted highway any damage caused by the works would be a civil issue between the residents of the cul-de-sac.

Similarly, any obstruction of the private driveways within the cul-de-sac was a civil issue between the residents of the cul-de-sac.

Comments relating to the development being out of character with the existing dwellings had been addressed in the original officer report.

The original appendices which were attached to the committee report showed two front elevations and not the proposed rear elevation drawing which was attached to the update report.

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

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

- The property currently had poor heat retaining properties and fell into band E on the Energy Performance Certificate(EPC); however it was felt that the property should be achieving an energy rating between the higher D to the lower C bands. In its current state the property could not be insulated sufficiently however if the proposed application was to be approved this issue could be resolved.
- Objections had been raised indicating that it was felt the applicant was to home numerous dependents into the property, however this was simply not the case.
- Many neighbours had shown their support without being prompted and were fully behind the renovation.
- A full rewire was required as the current wiring in the property did not comply with current regulations.

- A full construction management plan would be provided in relation to the alterations, and the work itself would take no longer than twelve weeks.
- The property was outdated and required updating and bringing into the 21st century.
- Some neighbouring properties had complained of being overlooked and of light loss, however if neighbours had read the plans correctly they would realise that the loss of light would be minimal and that neighbouring properties would not be overlooked.
- Objections had been received stating that the new proposal would be out of character and overbearing, however the homes within the surrounding area were all individual making the proposed application in-keeping.

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

- Looking to give the property a long term future.
- The property was to be extended to help home and to aid the independent living of the applicants 82 year old disabled father.
- There would be only 2 cars on the driveway during construction and this would also apply once the development was complete.
- Works traffic would not constrict the shared access road. If required a neighbouring drive was available for works traffic.
- If there was to be any damage to neighbouring drives the full costs to repair would be met by the applicant.
- The Applicant informed the Committee that contrary to some objections which had been raised stating that the increased height of the proposed application would cause neighbouring properties to be overlooked, was simply not the case.

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 references which had been made in connection with the removal of trees and flooding in the area.
- It seemed that most concerns which had been raised had been addressed, and that the only remaining issues to address were those relating to the street scene and overdevelopment. Members did not feel that these were reasons to refuse the application.

Officers addressed the Committee in response to concerns raised in relation to the removal of trees in the area. The Committee were informed that there were no plans to remove any trees

A vote then took place and the application was approved.

RESOLVED that:

Planning application 14/2255/FUL be approved subject to the following conditions and informative:-

Time Period for commencement;

01 The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Approved Plans;

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

Plan Reference Number Date on Plan

SBC0001 22 August 2014

01 B 17 November 2014

02B 17 November 2014

03 C 17 November 2014

06B 17 November 2014

07 D 24 November 2014

10 B 24 November 2014

11 A 24 November 2014

04 F 24 November 2014

05 E 24 November 2014

09 B 17 November 2014

08 A 17 November 2014

Materials;

03 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 roof of the extension shall be submitted to and approved by the Local Planning Authority prior to the construction of the external walls and roof of the extension.

Garage restrictions;

04 The garage to which this permission relates shall be used solely for the parking of motor vehicles and storage purposes incidental to the main residential use, unless the prior approval of the Local planning Authority has first been granted.

Informative 1: National Planning Policy Framework

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

**P 101/14 Stockton-on-Tees Community Infrastructure Levy (CIL) – Preliminary Draft Charging Schedule**

Consideration was given to a report on Community Infrastructure Levy - Preliminary Draft Charging Schedule – Approval For Consultation.

A new planning charge came into force under the previous Government on 6th April 2010 under the Community Infrastructure Levy (CIL) Regulations 2010. It allowed local authorities in England and Wales to raise funds from developers

undertaking new building projects in their area. The money could be used to fund a wide range of infrastructure needed as a result of development. This included transport schemes, flood defences; schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres.

In July 2011, the Council resolved to adopt the CIL as the principal means of funding infrastructure. However it required the setting of a Levy which reflected the costs of the infrastructure, was proportionate, was sound and robust, and had been subject to consultation and testing by an independent Examiner.

The setting of the Levy required the preparation of a Preliminary Draft Charging Schedule and evidence base documents, and that these were published for consultation. Following consultation and any amendments, the resultant document, known as the Draft Charging Schedule be submitted for independent examination and if approved, adopted and implemented by the Council.

The Community Infrastructure Levy Viability Assessment set out the proposed charging rates and justification for those rates. Information in respect of the Infrastructure Funding Gap identified projects and gaps in funding which justified setting a Charging Schedule, a draft Regulation 123 List which set out those projects or types of infrastructure which would be funded by the CIL and confirmed Council's approach in this respect. The Preliminary Draft Charging Schedule set out the CIL rates and approach to setting the CIL Charge, the approach to a future Relief and Instalment Policy, and the relationship between CIL and Section 106. The infrastructure planning work identified a total cost of £229,925,000 to 2030 and the funding gap was £190,981,000.

It was envisaged that further reports be taken to Cabinet to agree the Draft Charging Schedule for consultation, to report on the outcome of that consultation and documents to be submitted for Independent Examination. Consideration would also need to be given to the method by which spending priorities would be determined.

Members considered the Stockton-on-Tees Community Infrastructure Levy (CIL) – Preliminary Draft Charging Schedule and made the following comments:-

1. With regard to the boundaries of the charging zones for residential development that would form part of the Preliminary Draft Charging Schedule, the allocation of Hardwick into a High Value Zone be looked at again.

Members felt that Hardwick should remain in the High Value Zone as this had been the finding of the commissioned viability assessment that had been carried out.

RESOLVED that:

1. The contents of the report be noted.
2. Comments as detailed above and any further comments to be made on the Preliminary Draft Charging Schedule, Draft Preliminary Draft Charging Schedule and Charging Zones, and Draft Regulation 123 List (See Appendices 1, 2 and 3) prior to the report being presented to Cabinet which was due to be held on

15th January 2015.

3. Comments be made on the evidence presented in the report prior to the report being presented to Cabinet which was due to be held on 15th January 2015.

**P 102/14 Local Plan: Regeneration and Environment Local Plan (RELP) Publication Version.**

Consideration was given to a report on the Local Plan: Regeneration and Environment Local Plan (RELP) Publication Version – Approval for Public Consultation.

The report sought approval for the Publication version of the RELP, its associated policies map and supporting assessments, documents and studies which provided the remaining parts of the evidence base which had informed the development of the policies contained in the document for a period of public consultation in February - March 2015. This was the final consultation period for the draft plan before it was submitted to the Secretary of State for Communities and Local Government for examination by an independent Planning Inspector.

The report summarised the contents of the RELP and explained the supporting documentation which accompanied it and the next stages in the plan preparation process before the plan could be adopted and used by the Council in determining planning applications.

The text of the RELP, the policies map and all other supporting documentation were available both electronically on the Stockton Council website agenda and in hard copy in the members' library. The Character Areas Study, previously endorsed by Cabinet, would also be available as part of the consultation. The updated plan would supersede some parts of the adopted Core Strategy and amended copies of these highlighting where the changes would occur were also available.

With regard to the next steps once the plan and associated documentation had been agreed, there would be a six week period of public consultation and, unless a fundamental flaw to the plan emerged through the consultation process, this would be the version of the plan which would be submitted to the Secretary of State for examination-in-public.

The Publication consultation was a more formal one than those previously held and those making representations would be asked to comment on whether the preparation of the plan and its contents passed the tests of soundness. This meant that the plan was positively prepared, justified, effective and consistent with national policy.

Once the Council had considered all the representations it received at the Publication stage, it could amend the plan before submitting it to the Secretary of State if it considered it necessary. Often some minor amendments were made, but if the Council considered that more significant changes were required, a further period of consultation would be required before the plan was submitted. At Submission, the Council had to provide a written summary of all of the issues raised throughout the preparation of the plan and state how the

issues raised at Publication had been dealt with.

Members considered the RELP and made the following comments:-

1. With regard to the land south of Cayton Drive, this site had been the subject of 2 separate planning applications that had been refused by the Planning Committee, neither of which had been taken to appeal. They also formed part of the Tees Heritage Park and were areas of open space valued by local residents.

2. The area of land at Tilery behind the football pitches be taken out of the open space/Great North Park and re-designated.

Members felt that with regard to the area south of Cayton Drive in order to protect this area and to reinforce the decisions taken by the Planning Committee the site at Thorntree Farm (land to the south of Cayton Drive) which was proposed by Officers for removal from the green wedge as part of the RELP be reinstated as such, that Cayton Drive site be removed as a potential housing site under Policy H22 and they remain as open space and part of the Tees Heritage Park.

RESOLVED that

1. The contents of the report be noted.

2. The comments received as detailed above and any further comments as requested below be presented to Cabinet to be held on 15th January 2015 for consideration

3. Comments be received on the Publication version of the Regeneration & Environment Local Plan and policies map and associated Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Strategy, Whole Plan Viability Assessment and Consultation Statement for a period of public consultation from February to March 2015;

4. Comments be received on the officers' responses to comments made to the Preferred Options version of the RELP which are contained in the Schedule of Responses attached to the Consultation Statement and in topic papers entitled Wynyard, Yarm and Kirklevington, Housing Need and Demand, Housing Site Selection Process and Health and Safety Executive Assessment of Site Allocations ;

5. Comments be received on the updated Villages Study 2014 and the Green Wedge Review 2014 as evidence base to the RELP;

6. Comments be received on proposed amendments to the adopted Core Strategy to reflect the changes resulting from the Core Strategy targeted review of the Housing Strategy and the RELP.