

Planning Committee

A meeting of Planning Committee was held on Wednesday, 10th June, 2015.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Stephen Parry(Vice-Chairman), Cllr Helen Atkinson, Cllr Carol Clark(Vice Cllr David Wilburn), Cllr Michael Clark, Cllr Gillian Corr, Cllr Philip Dennis, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Paul Kirton, Cllr Jean O'Donnell(Vice Cllr Norma Wilburn), Cllr Mick Stoker, Cllr Mrs Sylvia Walmsley,

Officers: Greg Archer, Andrew Glossop, Simon Grundy, Joanne Hutchcraft, Barry Jackson, Peter Shovlin, Jonathan Stocks(DNS), Julie Butcher, Sarah Whaley(LD)

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

Apologies: Cllr David Rose, Cllr David Wilburn, Cllr Norma Wilburn

P Evacuation Procedure

1/15

The Evacuation Procedure was noted

P Recording of Meetings

2/15

The Chair informed Members of the Committee and Members of the Public that the Planning Committee meeting was to be recorded as part of the Council's commitment to legislation permitting the public recording of public meetings, and in the interests of ensuring the Council conducted its business in an open and transparent manner. These recordings would be made available to the public via the Council's website. Members of the public present who preferred not to be filmed/recorded/photographed, were asked to make it known so that so far as reasonably possible, the appropriate arrangements could be made to ensure that they were not filmed, recorded or photographed.

P Declarations of Interest

3/15

There were no declarations of interest.

P 14/2024/OUT

4/15

**Stillington Social Club, Stillington, Stockton-on-Tees
Outline application for the erection of 20 no dwellings with associated access road (demolition of the existing club)**

Consideration was given to a report on planning application 14/2024/OUT Stillington Social Club, Stillington, Stockton-On-Tees.

Outline planning permission was sought for a residential development of 20 dwellings on the site of Stillington Social Club. The site was made up of the Social Club, its associated car park and peripheral grassed areas. The application sought permission only for the principle of development and the access with matters of Layout, Scale, Landscaping and Appearance, being reserved for future consideration.

The site lay outside of the defined limits of development where housing would

not normally be supported however, the council was unable to demonstrate a deliverable 5 year housing supply and in accordance with the National Planning Policy Framework, the councils own housing policies within the Local Development Plan were unable to be afforded weight. The village was classed as a sustainable village within the councils villages study whilst the council had highlighted a need for rural affordable houses. The scheme would provide for affordable housing and in view of these matters, the principle of development on this site was acceptable.

The site was accessed off South Street, being the road leading into the village from the west. Existing dwellings lay to the north side of South Street and permission had been recently granted for a development of dwellings in close proximity, on the nearby allotment site. Open fields lay to the south and west of the site with a beck immediately adjacent to the southern boundary.

Objections from residents and the Parish Council revolved mainly around the impacts of additional traffic, the amount of development and the unsustainable nature of Stillington.

The scheme had demonstrated a suitable access was achievable as was the scale of development. The Environment Agency had accepted the scheme could mitigate Flood Risk.

The permission was required to contribute towards the provision of affordable housing, education places, off site public open space / recreation as well as a traffic calming feature for the entrance into the village. These formed part of the Section 106 Agreement and Conditions recommended.

At the 22nd April 2015 Planning Committee Members resolved that they were minded to refuse planning permission, contrary to the recommendation of the planning officer, for the above development on two grounds. The first was that the site was unsustainable in its location. The second was that the site had a poor access.

The Planning Development Services Manager and Principal Solicitor agreed that the Protocol for Decisions Contrary to Officers Recommendation should be invoked due to their concerns that the reasons would not be sustainable at appeal and would place the council at risk of a costs award. The protocol allowed a period of time for a more careful consideration of the proposed reasons for refusal by the Head of Economic Growth and Development Services, Corporate Director of Development and Neighbourhood Services and Director of Law & Democracy. The Protocol provided that in the event that the Head of Economic Growth and Development Services could support the reasons for refusal the refusal notice would be issued for the reasons given by members without further recourse to committee. If the Head of Economic Growth and Development Services could not support the reasons for refusal the protocol provided that the application would be returned to planning committee with a report setting out the concerns regarding the reasons for refusal in full for members to consider before making the final determination of the application.

Given the change in membership of the committee since the matter was last considered the procedure under the protocol was being varied on this occasion to bring the full report back to committee to consider afresh but in the light of the

officer's advice on the previously proposed reasons for refusal.

It must be pointed out that members were free to determine the application in any manner they saw fit, including refusal should they still be so minded, remaining bound by planning legislation, national and local policy, as set out in the original report.

Upon returning to planning committee, planning and legal advice was provided to members to ensure they had all relevant information and advice before them before making the final determination and it was the intention of this report to provide this advice.

Planning advice on first reason for refusal put forward:

Planning Committee considered Stillington to be an unsustainable location for residential development. On this point, officers advised that within the councils own study 'Planning the future of rural villages' which was updated in 2014, that Stillington was sufficiently sustainable to allow new residential infill development, being the most sustainable village within Stockton Borough, having employment uses, a school, church, community centre, Public House, recreation area and shop amongst its services. Residential development had also been approved at two other locations within Stillington within the last 12 months which were of a greater scale to this development. This proposed development would provide adequate pedestrian links into the village and its associated services. The National Planning Policy Framework provided a presumption in favour of sustainable development (para's 11-16 and 49).

In view of these matters, officers considered there was no planning policy argument on matters of sustainability that would warrant the refusal of the application.

Planning advice on second reason for refusal put forward:

Planning Committee considered the proposal to have an unsafe access arrangement. With regards to matters of the access, the proposed development would result in the reconfiguration of the existing access, it would improve the visibility splays above the standard required by guidance, it would provide a reduced gradient to the access into the site, it would provide 2m wide footways at the access and would result in the moving of the 30mph zone to include the site access. In view of these matters and the existing site access being outside of the 30mph zone where the speed limit was 60mph and having an existing use associated with it, officers considered this proposal represented a significant improvement to the existing situation and that the access was of a standard which met guidance. The Highways, Transport and Environment Manager was satisfied with the proposed arrangement.

In view of the above, officers considered there was no planning policy based argument on matters of the proposal having an unsafe access that would warrant the refusal of the application.

In summary, after careful consideration, it as officers opinion that, unless members could provide strong evidence to substantiate the reasons for refusal, to rebut the sustainability assessment of Stillington Village or the technical appraisal of the safety of the proposed access by the highway authority, the merits of the Council's postulated reasons for refusal were unable to be justified

and that they would be very unlikely to be defended successfully on appeal. Furthermore, were an appeal to be made, the Council would be at significant risk of an award of costs on the basis of unreasonable refusal judged by reference to the relevant policy set out in the Planning Practice Guidance.

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 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 contained within the main report.

The Planning Officers report concluded that the proposed scheme was considered to represent sustainable development on a partial brownfield site on the edge of the existing settlement. It had been reasonably demonstrated that 20 units could be accommodated on site whilst providing adequate access, parking, manoeuvring and whilst taking into account matters of Flood Risk, Ecology and other such matters. Conditions were recommended to control the greater level of detail associated with the outline application.

Cllr Andrew Stephenson Ward Councillor for Western Parishes which included Stillington was in attendance at the meeting and given the opportunity to make representation. His Comments could be summarised as follows:

- The development could have a negative impact on the environment.
- The proposed three storey buildings were not suitable within a village community.
- There had recently been three storey homes demolished within Stockton Town Centre which were only erected approximately 20 years previously. If they were not good enough for Stockton Town Centre, they were not good enough for Stillington.
- Proposed access only allowed for one way in and one way out. This was the

same as Whitton Grove which was only 300 yards away and had suffered parking issues. The proposed one way in and one way out access could lead to roads being blocked and with similar parking issues to Whitton Grove with the possibility of causing difficulties for emergency vehicles and delivery vans.

- The nearby village of Long Newton had been improved from a one way traffic flow system to a two way system. If the current proposal was to go ahead a two way traffic system should be adopted for Stillington.

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

- The proposed development site was an eye sore and definitely needed something doing with it; however, three storey buildings would be too high.

- It was expected a site visit would have taken place to fully appreciate the situation.

- Even if all the hedges were taken away there was still a substation which would block visibility.

- There were current problems with speeding through the village due to approximately 800 commuters passing through on a daily basis.

- If there was to be 40 cars coming from the new development site at any one time it was only a matter of time before someone was killed.

- There had already been an overkill of new builds in the area.

- 573 new houses had received planning approval over the last few years which would result in a 90% increase of homes within the village.

- Due to cut backs within the last 3 years Stillington had lost its Community Centre to a business.

- Subsidy had been lost on transport twice within the last year resulting in the loss of one bus service. Currently there was only 1 bus every hour.

- There was currently 15 properties for sale in Stillington and only 23 houses had sold within the last few years. There was no demand for new homes.

- Concerns were raised in relation to the impact deflected flood water would have on nearby residents.

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

- The Environment Agency had no objections in relation to flooding within the vicinity. Detailed hydraulic surveys had been undertaken and had demonstrated that there was no current risk of flooding from Bishopton Beck.

- All floor levels on the proposed properties would be set well above any

predicted flood levels, which also took into account the effects of global warming.

- Any surface water would be collected within the new highway layout and disposed of by the highway drainage designed to suit.
- The three storey dwellings would be set at only a two storey level fronting South Street therefore eliminating overlooking, overshadowing and loss of sunlight. Residents of South Avenue would still enjoy uninterrupted views over the proposed development site.
- Current access roads would be improved, better sight lines and gradients. Hedgerows would be removed and re planted, path links would be improved and a 30mph speed limit would be extended beyond the site to the west to ensure complete safety.
- Planning Committee Members had approved over 90 houses within the past twelve months following officers advice, it had already been acknowledged that Stillington was a sustainable settlement.

Officers addressed the Committee and were given the opportunity to respond to some of the concerns and issues raised by the objectors. Their comments could be summarised as follows:

- In relation to the three storey homes, the third storey would be built within the roof space, effectively the houses would be the height of two storey dwellings.
- The proposed access to the development was considered normal both nationally and locally for an application of only 20 houses. The width of the access complied with current guidance which the fire service accepted.
- Visibility splays complied with current standards.
- Current access operated within a 60mph limit which was being reduced to 30mph with a gateway feature to slow traffic further, showing a significant improvement.

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

- The development was of a modest scale and would add to affordable housing.
- The proposed site was a car park and disused building.
- Issues in relation to flood risk and access had been adequately answered; therefore there was no reason to refuse.
- If the village continued to grow there was no guarantee services would return however if the population remained static/declined then there was absolutely no chance whatsoever of them coming back.
- There were still issues surrounding redirected flood waters and whether it would impact on neighbouring properties, the site did have a history of flooding.

- There was a foul water pumping station as well as a substation, this totalled two utility structures which could impact on sight lines.
- In relation to sustainability there seemed to be a lack of information detailing primary school numbers at William Cassidy. These should have been included within the report.
- What guidance was looked at in relation to extending the 30mph zone? Could the 30mph zone be extended even further west?

Officers addressed the Committee and were given the opportunity to respond to some of the concerns and issues raised by the Members. Their comments could be summarised as follows:

- There was an offsite issue in relation to flood water and the Environment Agency had expressed their satisfaction that there was a solution that would work in relation to no additional flooding further downstream. Officers were aware that water was coming from one field and crossing the road and entering the club carpark, matters of this type would be taken into account with the redesign of the car park so it would not access the actual estate. The estate itself had to attenuate its own water, adopting a solution which would make it no worse than it already was.
- 30mph zone could be extended further subject to review; however the current proposal was adequate. A sum of money had been agreed to include a gateway access and additional lighting which would give a more urban feel highlighting to drivers they were entering a village whilst keeping to the 30 mph speed limit.
- The foul water pumping station was not perceived to be a large structure and was to be located roughly central within the site and would not affect any access or sight lines.
- With regard to School admission numbers an education contribution would be made from the developer when the development was started if there were no surplus spaces available, however if the school had capacity at the start of the development then no contribution would be required.

A vote then took place and the application was approved.

RESOLVED that planning application 14/2024/OUT be approved subject to the Section 106 Agreement being signed as detailed the Heads of Terms below by the 11th August 2015 or otherwise refused for lack of provisions of matters detailed within the Heads of Terms; and subject to the following planning 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
01 Rev A (indicative)	2 Jan 2015
10	24th July 2015

02. Reserved Matters - Details

Approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

03. Reserved Matters - Time Period for submission of Reserved Matters

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

04. Period for Commencement of Development

The development hereby permitted shall be begun either before the expiration of four years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

05. Levels

The development hereby approved shall be built in accordance with a scheme of finished floor levels which has been submitted to and approved in writing by the Local Planning Authority prior to the development commencing on site. The scheme shall detail existing land level and levels of nearby properties as necessary as well as the finished floor levels of the proposed properties.

06. Retention of Landscaping

There shall be no removal of existing landscaping on the site until formal approval of the Local Planning Authority has been given in respect to the reserved matters. Thereafter, any removal of landscaping shall only be carried out in September and October.

07. Flood Risk Matters

No housing of the development hereby approved shall be positioned closer to the adjacent watercourse than as detailed on the indicative site layout depicted in Appendix D of the Flood Risk Assessment (H76020-FRA-001) dated December 14:

The mitigation measures detailed within the Flood Risk Assessment (H76020-FRA-001) dated December 14 shall be fully implemented prior to occupation of the development hereby approved subject to any agreed timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing, by the local planning authority.

08. Construction Management Plan

The construction works associated with the development hereby approved shall be undertaken in accordance with a Construction Management Plan which has first been submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include, but not be restricted to;

- Access proposals (including HGV routes) and HGV trip profile;
- Details of staff parking proposals during construction;
- Hours of construction; and
- Appropriate mitigation measures.

The development shall be undertaken in accordance with the Construction

Management Plan.

09. Renewables or Fabric First

Prior to the erection of the buildings a report shall be submitted to the Local Planning Authority by the applicant identifying 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 design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

10. Access – Approved

The access shall be implemented on site as detailed on Plan 01 Rev A received on the 2nd January 2015.

11. Affordable Housing

A total of 15% - 20% of housing provision within the site shall be affordable in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. The details shall include but not be restricted to including the precise units to be affordable, the nature of tenure and mechanism for delivery.

12. Construction Working Hours

No construction activity or deliveries shall take place except between the hours of 0800 and 1800 on Monday to Friday and 0900 and 1300 on Saturdays. There shall be no construction activity on Sundays or Bank Holidays.

13. No burning of waste

During the construction phase of the development there shall be no open burning of waste on the site.

14. Land Contamination Assessment

No development shall be commenced on site until the following has taken place and written agreement to these being carried out has been provided by the Local Planning Authority;

- a. An intrusive phase 2 investigation is carried out and the results are submitted in writing to the Local Planning Authority;
- b. Should any contamination be present then a scheme of mitigation be provided in writing to the Local Planning Authority;
- c. The development be undertaken in accordance with the approved scheme of mitigation.

Investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

15. Boundary Treatments

No development hereby approved shall be commenced on site until a scheme of boundary treatments has been submitted to and approved in writing by the local planning authority. The scheme shall detail all boundary details for the site including those dividing ownership boundaries within flood zones 2 and 3 adjacent to the southern site boundary. The development shall be undertaken in accordance with the approved boundary treatment scheme.

16. Bat Survey and Mitigation Works

No demolition works shall take place to the building unless in accordance with a written scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the timing of demolition works, the method of demolition in respect to the areas of the building sensitive to being Bat Roosts and shall detail the presence of an appointed and suitably qualified ecologist during key stages of the demolition works.

The development, including demolition, shall be undertaken in accordance with a scheme of mitigation which has first been submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall be based on the detailed site layout and reserved matters details yet to be approved.

All development works and demolition works shall be carried out in strict accordance with the demolition scheme and mitigation scheme details required by this condition.

17. Foul and Surface Water Discharge

No development hereby approved shall be commenced on site until a scheme of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of surface water flow paths entering the site along with mitigation measures to ensure the proposed surface water drainage is not compromised by off-site flows.

The surface water discharge rates from the site will be restricted to the existing greenfield runoff rates (Qbar value) with sufficient storage within the site system to accommodate a 1 in 30 year storm. The design shall also ensure that all subsequent storm water events up to and including the 1 in 100 year event surcharging the system can be stored on site without risk to people or property and without flowing into drains or a watercourse. The flow of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should be provided.

The development shall be undertaken in accordance with the approved schemes.

18. Removal of PD Rights – All Householder

Notwithstanding the provisions of classes A, B, C, D& E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings erected within the curtilage without the written approval of the Local Planning Authority.

19. Removal of PD Rights – Fences

Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures erected without the written approval of the Local Planning Authority.

INFORMATIVES

Informative 1: Working practice

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application, in particular in respect to matters associated with Flood Risk and the indicative site layout, through gaining additional information in respect to these matters and by the identification and imposition of appropriate planning conditions

Informative 2: Contact Northern Gas Networks

Northern Gas Networks have advised that there may be gas apparatus in the area and that the developer contact them to discuss this. Contact details given are as follows;

Sandra Collett
Network Records Assistant
0845 6340508 (option 6)

Informative 3: Trees and landscaping

The reserved matters will need to adequately survey existing trees and detail new provision as well as suitable protection of existing trees.

Informative 4 – Welcome Packs – Sustainability

It is recommended that the developer provides welcome packs for new occupants which should provide details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour amongst residents from the outset of the development.

HEADS OF TERMS

Precautionary Education Contribution to provide primary/secondary school places should they be required at the commencement of development and subject to surplus places at the William Cassidi primary school and the North Shore Academy.

Highways Contribution of £5,000 for traffic calming works on South Street

Open Space Contribution the sum of £34,860 (thirty four thousand, eight

hundred and sixty pounds) for improvements to Stillington Forest Park, a MUGA within Stillington or such other open space, recreation or landscaping schemes as deemed appropriate by the Council to mitigate the lack of open space, recreation facilities or landscaping on the Site.

P 15/0481/FUL
5/15 12 Jasmine Fields, Kirklevington, Stockton-On-Tees
Proposed two storey rear extension, 2.4 metre high boundary wall to rear and 2 metre high western boundary wall.

Consideration was given to a report on planning application 15/0481/FUL 12 Jasmine Fields, Kirklevington, Stockton-On-Tees.

The proposal was for a two-storey extension to the rear, the replacement of the 1.8 metre high fence surrounding the rear and eastern boundary of the property with a 2.4 metre high wall and a 2 metre wall on the western boundary. The two-storey extension would project 5.6 metres with a width of 4 metres and would provide a ground floor sunroom and a bedroom extension on the first floor.

Since the initial plans were submitted, the applicant had removed from the proposal the 1 metre high railings around the front boundary and reduced the height of the proposed wall around the rear and eastern boundary from 3 metres to 2.4 metres.

There had been 11 objections received from neighbouring properties (which included additional comments received on the revised plans), these were detailed within the report, with the main issues including damage/removal of the neighbouring hedge, visual impact of the wall and render finish, loss of privacy/overlooking/overshadowing, overdevelopment of the site and noise and disruption during build. No objections had been received from Ward Councillors or the Highways, Transport and Environment Manager.

Notwithstanding the objections received it was considered that the proposed development was visually acceptable and had no significant impact on amenity or 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 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 contained within the main report.

The Planning Officers report concluded that in light of the above assessment, it was considered that the proposed development was visually acceptable and had no significant impacts on amenity or highway safety. The proposal therefore accorded with CS2 and CS3 of the adopted Core Strategy and saved local plan policy HO12 and was recommended for approval.

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

- The proposal had been modified in response to comments which had been received from Officers.
- There would be no effect to the occupants of neighbouring property no. 14 Jasmine Fields.
- The new window on the west elevation would have no effect in relation to loss of privacy.
- The extension would not cause any overbearing or loss of light and it complied the the Local Authorities guidance SPG2.
- The 2 metre wall to the west would have no significant impact on any amenity. It was noted that this would normally be permitted development.
- The 2.4 metre wall which did not adjoin the boundary at No. 10 Jasmine Fields would not have any material effect in relation to overbearing or loss of light.
- There were no issues in relation to highway safety as there would not be an increase in the number of bedrooms.

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

- It was highlighted that the window which was to be a bedroom window with obscured glazing to a level 4 for the life time of the development should also had restricted opening.
- The 2.4 metre wall which was to be rendered and painted was too high and would be out of character with the rest of the estate.
- Concerns were raised in relation to the gap between the boundary wall and the

hedge as to who was responsible for it.

- The overall extension would make the house so large it would be out of character within the estate and was disproportionate to the existing dwelling.
- Issues surrounding the internal layout of the build were raised in relation to the future possibility of a further bedroom being added to the first floor and the possibility that this may be a fire risk.
- Questions were raised as to the nature of the chimney, was it to house a wood burning stove and what impact would this have on neighbouring properties?

Officers addressed the Committee and were given the opportunity to respond to some of the concerns and issues raised by Members. Their comments could be summarised as follows:

- In relation to the bedroom window which was to be obscurely glazed, if Members were not happy with the opening of the window then a condition could be amended to make the window a fixed, none opening window.
- With regards to the hedge and the gap between the wall and the hedge, it would be the landowners responsibility to maintain the land between the hedge and the wall however although that might be difficult it was understood that the hedge would eventually fill that gap.
- In relation to the internal layout, there would be nothing to stop future occupiers changing the use of the room.
- With regards to the Chimney, yes it would be a wood burning stove, which the Environment Agency had no objection to.

Members considered the report and raised concerns in relation to the proposed obscurely glazed bedroom window on the west side elevation not having a restricted opening feature.

Members felt that a condition should be amended which stated that the window not only have obscured glazing to a level 4 for the life time of the development but also be fixed.

The motion was moved and seconded that condition 2 be amended and that the window be fixed and obscurely glazed to a minimum level 4.
A vote then took place and the motion was carried.

A vote then took place and the application was approved with a revision to condition 2 as detailed below.

RESOLVED that planning application 15/0481/FUL
12 Jasmine Fields, Kirklevington, Stockton-On-Tees be approved subject to the following conditions and informatives and subject to :-

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

Plan Reference Number	Date on Plan
SN/15/003/006B	15 April 2015
SN/15/003/002/C	15 April 2015
SN/15/003/004	24 February 2015
SN/15/003/003	24 February 2015
SN/15/003/001	24 February 2015
SN/15/003/005	24 February 2015

02. Notwithstanding the submitted drawing (SN/15/003/006/B) the proposed window on the west side elevation of the original dwelling shall be fixed and obscurely glazed to a minimum level 4 with the obscure glazing being retained for the lifetime of the development.

03. Notwithstanding the submitted plans, prior to the construction of the rear boundary walls, the colour of the render for the external boundary walls shall be submitted to the Local Planning Authority for prior approval.

INFORMATIVES; Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions

Informative 2

The applicant is advised that the following works should not be undertaken under any circumstances:

- No fires shall be lit or allowed to burn within 3 metres of the hedge;
- No materials shall be stored within the 3 metres of the hedge;
- No mixing of cement or use of other materials or substances shall take place within the 3 metres of the hedge;
- No unauthorised trenches shall be dug within the 2 metres of the hedge;

P 15/0384/X
6/15 Riverside, 11 Teesbank Avenue, Eaglescliffe
Application to remove 2.no Larch trees in the rear garden

Consideration was given to a report on planning application 15/0384/X Riverside, 11 Teesbank Avenue, Eaglescliffe

The application for tree works was to fell 2.no Larch trees in the rear garden of 11 Teesbank Avenue in Eaglescliffe.

The main reasons given by the applicant to fell the Larch trees was because of the poor form of the trees and he also wished to eliminate the risk of the trees falling due to land movement.

There has been 6 letters of objection received for this application. The main concerns of the neighbours were the effect the removal of the two trees would have on the visual amenity and biodiversity of the area.

The Principal Tree and Woodland Officer recommended the proposal to fell the Larch trees was approved on the grounds that the trees were of poor structural

form and individually did not have significant specimen value.

The application was therefore recommended for approval.

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 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 contained within the main report.

The Planning Officers report concluded that the Larch trees were of poor structural form and individually did not have significant amenity value. The applicant had also planted 3 Scots Pine trees which were considered to be acceptable replacements.

It was recommended that the application be Approved for the reason specified within the main report.

An Objector was in attendance at the meeting and given the opportunity to make representation. His Comments could be summarised as follows:

- Not objecting to the trees being felled, however worried in relation to the long term strategy. The current trees certainly did not add anything to the amenity.
- Concerned that healthy hardwood trees had been butchered within the last ten years.
- Where trees had been removed although they had been replaced, they had not been replaced in the correct location.
- Where future trees were to be removed within the Tees Heritage Park, it was suggested that hardened replacements trees were placed within the same place as the removed tree or within 1.5 metres of that tree.
- The Riverbank used to have a dense tree habitat, which was no longer the

case.

- The Council had a duty of care to look after the Tees Heritage Park.

Officers were given the opportunity to address the Committee in relation to issues which had been raised by the Objector. Their comments could be summarised as follows:

Where there was a condition to re-plant there was a standard duty to re-plant, unless there were enough trees already. There were currently young trees within the vicinity of the trees to be felled and the removal of the weak trees would allow the remaining trees to flourish. Therefore, in relation to the application there were replacement trees on or near the required location and the historical removal of trees was irrelevant when looking at this specific application.

The application met the standard requirements.

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

- Scotch Pine was a poor replacement for the Larch trees which were to be felled, even if they were in poor condition.

- Additional trees of a superior quality should form part of the conditions. Scotch pines were fast growing less superior trees.

- Assurance was sought that when the Larch trees were felled that nothing happened to the remaining 3 trees.

Officers were given the opportunity to address the Committee in response to issues raised by Members. Their comments could be summarised as follows:

- The permission sought was for the felling of the two Larch trees, if any other works were carried out over and above that then that would be an enforcement issue and be considered unauthorised works, which there were procedures in place for.

A vote then took place and the application was approved.

RESOLVED that the Tree Preservation Order application 15/0384/X be approved subject to the following conditions -

01.The works hereby permitted shall be begun before the expiration of 24 months from the date of this permission

P 15/1059/LAF
7/15 Northfield School And Sports College , Thames Road, Billingham
Construction of an all weather multi use games area with associated fencing and floodlighting. The proposed games area is to be sited over the footprint of an existing games area.

Consideration was given to a report on planning application 15/1059/LAF Northfield School And Sports College , Thames Road, Billingham

Planning permission was sought for the construction of a Multi Use Games Area (MUGA) on the footprint of an existing games area at Northfield School, Billingham.

Under the Council's Scheme of Delegation, the application was put forward for determination by the Planning Committee as the scheme did not constitute minor development. No objections had been received from statutory consultees subject to a number of conditions.

The proposed development was considered to be of an appropriate scale, design and layout for its setting, achieved satisfactory spacing from surrounding properties and was not considered that it would result in any unacceptable impacts on residential amenity. The proposed scheme was considered to satisfy the principles of the National Planning Policy Framework, and Core Strategy Policies CS3, CS6 and CS10 and as such was recommended for approval.

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 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 contained within the main report.

The Planning Officers report concluded that the proposed MUGA would provide functional improvements at the school and it was considered that the MUGA would not have unacceptable impacts upon the appearance of the school site or residential amenity. The proposal was in accordance with the relevant policies of the development plan and was therefore considered acceptable and it was recommended that the application be approved with conditions for the reasons as specified within the main report.

Members were given the opportunity to ask questions/make comments on the application.

A vote then took place and the application was approved.

RESOLVED that planning application 15/1059/LAF be approved subject to the following conditions and informatives below;

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

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

Plan Reference Number	Date on Plan
TS10361/01/100	30 April 2015
TS10361/01/101	30 April 2015
TS10361/01/102	30 April 2015
D24584/PR/B	30 April 2015
R001	30 April 2015

03 No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00a.m on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).

04 The hours of use of the Multi Use Games Area and its associated lighting shall be restricted to 8.30am to 9pm Monday to Friday and 8.30am to 5.30pm on Saturday and Sunday and no use on Bank Holidays.

INFORMATIVES

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

**P
8/15**

14/2816/FUL

West Acres, Durham Lane, Eaglescliffe

Residential Development for the erection of 81no.dwellings including apartments, public open space, associated access arrangements and landscaping (demolition of existing dwelling house)

Consideration was given to planning application 14/2816/FUL West Acres, Durham Lane, Eaglescliffe.

On 8th April 2015 the Planning Committee resolved to approve application 14/2816/FUL West Acres, Durham Lane, Eaglescliffe subject to the applicant entering into a Section 106 Agreement by the 10th June 2015. The applicant had indicated that they were likely to be delayed in the signing of the Section 106 Agreement and had therefore requested the recommendation be amended to allow for signing of the Agreement up until the 12th August 2015. This

request was considered acceptable.

It was explained to Members that as there was a bank involved a slight delay had been encountered, however all paperwork was due back no later than week ending the 20th June 2015.

A vote then took place and the application was approved.

RESOLVED that planning application 14/2816/FUL be approved subject to the conditions and informatives detailed within the main report and update report and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms detailed within the update report and should the S106 not be completed and signed by the 12th August 2015 then the application be refused for lack of provisions as detailed within the Heads of Terms;

**P
9/15**

1. Appeal - Ms Samantha Harvey - 27 High Street Yarm - 14/0272/ADV -

Facia sign DISMISSED and Hanging sign ALLOWED

**2. Appeal - Mistell Ltd - 6 High Church Wynd Yarm - 14/1579/COU -
DISMISSED**

**3. Appeal - Mistell Ltd - New Cross Keys High Street Yarm - 14/1361/FUL -
DISMISSED**

RESOLVED that the appeals be noted.