

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 1st February, 2017.

**Present:** Cllr Norma Stephenson O.B.E(Chairman), Cllr Stephen Parry(Vice-Chairman), Cllr Helen Atkinson, Cllr Carol Clark, Cllr Jim Beall (Sub Cllr Nigel Cooke), Cllr Gillian Corr, Cllr Sally Anne Watson (Sub Cllr Philip Dennis), Sub Cllr Lynn Hall, Cllr Elsi Hampton, Sub Cllr Paul Kirton, Sub Cllr Mick Stoker, Sub Cllr Tracey Stott, Cllr Ian Dalgarno (Sub Cllr Sylvia Walmsley), Cllr Derek Brown (Sub Cllr David Wilburn)

**Officers:** Greg Archer, Barry Jackson, Simon Grundy, Joanne Roberts, Peter Shovlin, Jonathan Stocks (DEGDS), Julie Butcher(DHR, L&C) Sarah Whaley(DCE)

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

**Apologies:** Cllr Nigel Cooke, Cllr Phil Dennis, Cllr Sylvia Walmsley, Cllr David Wilburn

### **P Evacuation Procedure**

**94/16**

The Evacuation Procedure was noted.

### **P Recording of Council Meetings**

**95/16**

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**

**96/16**

Councillor Derek Brown declared a personal interest in relation to item, 16/2931/FUL Car Park All Saints Church of England Academy, Blair Avenue, Ingleby Barwick as he was a Member of the Tees Active Board and, given the involvement of Tees Active in the management of the new facility, if approved, he may be deemed to be biased. Councillor Derek Brown did not speak or vote on the item.

Councillor Gillian Corr declared a personal non-prejudicial interest in relation to 16/2931/FUL Car Park All Saints Church of England Academy, Blair Avenue, Ingleby Barwick as she had participated in the public consultation and details of the scheme had also been reported in the IBIS newsletter. Councillor Corr was not pre-determined and reserved the right to speak and vote on the item.

Councillor Sally Anne Watson declared a personal non-prejudicial interest in relation to 16/2931/FUL Car Park All Saints Church of England Academy, Blair Avenue, Ingleby Barwick as she had also taken part in the consultation events and owned a business close to the proximity of the proposed site. Councillor Watson was not pre-determined and reserved the right to speak and vote on the item.

### **P Minutes from the Planning Committee meeting which were held on the**

**97/16 19th October and 3rd November 2016.**

Consideration was given to the minutes of the meeting which was held on the 19th October 2016 and the 3rd November 2016 for approval and signature.

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

**P  
98/16 Minutes form the meeting which was held on the 9th November 2016**

Consideration was given to the minutes of the meeting which was held on the 9th November 2016 for approval and signature.

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

**P  
99/16 Minutes from the meeting which was held on the 30th November 2016**

Consideration was given to the minutes of the meeting which was held on the 30th November 2016 for approval and signature.

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

**P  
100/16 16/2931/FUL  
Car Park All Saints Church of England Academy, Blair Avenue, Ingleby Barwick**

**Application for the erection of a new leisure facility consisting of swimming pool, fitness gym, exercise studios, multipurpose rooms, the relocation of public library from All Saints School, the relocation of the school car park, leisure facility car parking, repositioning of boundary fence, landscaping and reposition of highway access onto Blair Avenue.**

Consideration was given to a report on planning application 16/2931/FUL Car Park All Saints Church of England Academy, Blair Avenue, Ingleby Barwick

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

Neighbours were notified and the comments received were detailed within the main report.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that overall the nature and scale of the development was acceptable and parking provision and access was satisfactory. It was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and would provide economic and social benefits and did not conflict with policies in the Development Plan. Accordingly, it was recommended that the application be approved with Conditions for the reasons as specified within the

main report.

Members were presented with an update report which detailed the submission of additional representations which had been received from Councillor Ken Dixon and three residents of Ingleby Barwick. The Planning Officers recommendation remained unchanged which was that the application be approved with conditions as detailed within the main report.

Objectors attended the meeting and were given the opportunity to make representation. With the exception of those submissions already provided during the consultation period, and detailed within the report, objector's comments could be summarised as follows:

Should the application be approved, it would inhibit future expansion of All Saints Secondary School.

Proposed car parking was limited.

Concerns were raised in relation to the safety of local school children during construction.

Local Ward Councillors attended the meeting and spoke in support of the application highlighting this was a long awaited and much needed facility for the residents of Ingleby Barwick and its proposed central location was the right location.

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

Discussion took place around the construction management plan in relation to safeguarding children during the construction period should the application be approved.

Members raised questions in relation to the installation of CCTV on the site.

It was highlighted that there were current parking issues at Myton shops during the school run which was stopping customers parking. Concerns were therefore raised in relation to the displacement of traffic during construction of the proposed facility as this could exacerbate the current situation particularly at school drop off and pick up times impacting on local business.

Officers were given the opportunity to respond to comments/issues raised by Members. Their responses could be summarised as follows:

Officers confirmed CCTV would be installed should the proposed facility go ahead.

Officers would look at the best possible outcome in relation to parking during the construction period to minimise impact on local business.

A vote took place and the application was approved.

RESOLVED that planning application 16/2931/FUL 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 plan(s);

Plan Reference Number

Date on Plan

AP(0-)01 K

15 November 2016

AP(0-)02 K

15 November 2016

AP(0-)03 A

15 November 2016

AP(5-)01 H

15 November 2016

3 All ecological mitigation measures within the 'Extended Phase 1 Habitat Survey November 2016 shall be implemented in full accordance with the advice and recommendations contained within the document.

04 The approved Travel Plan shall be implemented in full accordance with the advice and recommendations contained within the document.

05 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.

06 The rating level of sound emitted from any music at the premises shall not exceed background sound levels by more than 5dB (A) between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest sound sensitive premises).

07 Before the installation of the building services systems commences details of a ventilation and fume extraction system, including a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation, fume or flue outlet points and the type of filtration or other odour treatment which shall be installed and used at the premises in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before the development is brought into use and thereafter be retained in full accordance with the approved details. The approved ventilation and extract system shall be operated and maintained in accordance with the manufacturer's recommendations, including the frequency of replacement of any filters.

08 The development hereby approved shall not be commenced on site, until a scheme of 'Foul and Surface Water Drainage and Management' for the

implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, The scheme shall include but not be restricted to providing the following details;

- (i) Detailed design of the surface water management system
- (ii) A build program and timetable for the provision of the critical surface water drainage infrastructure
- (iii) A management plan detailing how surface water runoff from the site will be managed during construction Phase
- (iv) Details of adoption responsibilities;
- (v) Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;

The building hereby approved shall not be brought into use until the approved 'Foul and Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Foul and Surface Water Management scheme for the lifetime of the development.

09 No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;
- (ix) details of the routing of associated HGVs;
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

10 No development shall take place (except for the purposes of constructing the initial site access) until that part of the access(es) extending 15 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the Council's Design Guide and Specification.

11 No hard landscaping shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the

total development shall be made-good by the owner as soon as practicably possible.

12 Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, (whichever is applicable) prior to the commencement of enclosure works, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

13 Prior to the commencement of installation of any street furniture, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such street furniture as agreed shall be erected before the development hereby approved is occupied.

14 Prior to the commencement of external lighting installation full details of the method of external LED illumination:

- (i) Siting;
- (ii) Angle of alignment;
- (iii) Light colour; and
- (iv) Luminance.

of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

15 No Soft Landscaping shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

- (i) Commencement of the development;
- (ii) or agreed phases;
- (iii) or prior to the occupation of any part of the development; and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

16 Prior to occupation of the development full details of proposed soft landscape management shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the:

- (i) Development;
- (ii) or approved phases.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at

least equal to that of the adjacent successful planting in the next planting season.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

17 Construction of the external walls and roofs shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

18 Prior to occupation of the development, an energy statement shall be provided to identify how the predicted CO2 emissions of the development will be reduced by 10% through the use of on-site renewable energy equipment and or design efficiencies and details of the fabric U - values to be agreed with the Local Planning Authority and implemented in accordance with the agreed scheme.

19 The development must obtain a Building Research Establishment Environment Assessment Method (BREEAM) of 'very good', or equivalent rating. Assessment request to be issued to BRE within 6 months of occupation.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

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**

**101/16**

**16/0389/OUT**

**Land West Of Fleet Bridge Road, Chesham Grove, Norton**

**Outline application for the erection of up to 60 dwellings with all matters reserved.**

Consideration was given to a report on planning application 16/0389/OUT Land West Of Fleet Bridge Road, Chesham Grove, Norton

This was an outline application, with all matters reserved. The application proposal was therefore to establish the principle of the development.

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

Neighbours were notified and the comments received were detailed within the main report.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that in view of the above and as the Council was only able to demonstrate a 4.5 years housing land supply (with a

20% buffer added) the provision of housing to address the shortfall in the 5 year housing land weighed in favour of the scheme. The site lay within the development limits and currently had no specific land designations, although the site was previously identified as green wedge under the adopted 1997 Local Plan the key diagram of the Core Strategy showed that the site was outside of the green wedge, with that protection applying to the site on the opposite side of the A19. Although identified within the open space audit semi-natural green space and as Urban Open Space under emerging Local Plan these could be given little weight at this time and consequently there was no formal designation of the site as open space. The site was also considered to be within a sustainable location.

The application sought only outline planning consent with all matters and final details being subject to a future application although it was considered that a form of residential development could be accommodated on the site without it significantly affecting the character of the area, residential amenity or highway safety.

In view of the above, the proposal was considered to be acceptable in planning terms and was recommended for approval subject to the applicant entering into a section 106 agreement and subject to those conditions as set out within the main report.

Members were provided with a verbal update informing them that the amount of land within the proposed site which had been in flood zone 2, had now been reduced from 50% to 25%.

Objectors attended the meeting and were given the opportunity to make representation. With the exception of those submissions already provided during the consultation period, and detailed within the report, objector's comments could be summarised as follows:

The developer had not indicated what type of dwellings were to be proposed within the application.

Traffic pollution from the A19 would have health implications, the site was a natural basin where car fumes would collect.

The proposed site was at different levels.

It was suggested that SBC Highways, Transport and Environment did not support the application and therefore the application should be rejected based on those reasons.

The Applicant attended the meeting and given the opportunity to make representation. His comments could be summarised as follows:

In the past, the proposed site had encountered flooding from a nearby beck however since the A19 had been moved this was no longer the case and was acknowledged by the Environment Agency.

Any surface water was to be collected and discharged via an acceptable route agreed with the water authority.



The land was not considered to be designated open space as it was privately owned.

Due to the topography on the site there would be no direct impact on neighbouring residents. If the application was approved a detailed application would be submitted which would consider further any impact on immediate neighbouring residents.

SBC Highways, Transport and Environment did not object to the application.

Officers were given the opportunity to respond to comments/issues raised by objectors. Their responses could be summarised as follows:

The Urban Landscape Manager informed the Committee that SBC Highways, Transport and Environment did support the application. There had however been concerns in relation to the proposed number of units proposed and how this would not have an impact on existing trees. Although there was uncertainty as to what the dwellings would be, Officers felt that the site was too small to accommodate 60 houses.

It was confirmed that the proposed site did have land at differing levels however as the application was only at outline stage there was no detail yet as to how the site was to be laid out. Condition 8 stated that prior to the commencement of the development the Applicant would have to submit details of the proposed site levels and finished floor levels which would require approval by the Local Planning Authority.

Officers explained that should the development go ahead it was expected that existing residents would look onto the new development not the other way around. There would be limits to separation spaces, therefore if the development was too dense at the detailed planning stage the application could be refused.

With regards to dealing with surface water, Officers felt that a suitable scheme could be achieved.

Where concerns had been highlighted relating to wildlife, Natural England had not submitted any concerns.

There was no formal designation regards open space.

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

Discussion took place around the planning history of the site and whether the site had been considered unsuitable for development in previous years due to such issues as flooding and noise pollution from the A19.

Members discussed the fact the plans appeared to be over ambitious for the size of the site and that it was over developed. The plans lacked detail particularly relating to the types of dwellings and access to the site, making it difficult for Members to arrive at a decision.

Much discussion also took place around concerns relating to flooding.

Officers were given the opportunity to respond to comments/issues raised by Members. Their responses could be summarised as follows:

It was confirmed that the planning history of the site had been considered and there was nothing relevant to the proposed site.

Officers appreciated Members views that the proposed number of units were tight on such a small piece of land. The application proposed up to 60 dwellings and unless these were to be flats Officers felt that this number would be unlikely.

In terms of flood zone 2, it was highlighted that dwellings may not be permitted to be built in that zone, or if they were they would have to be suitably robust.

Members were informed that the Applicant only had to provide the bare minimum of information at this stage to determine the application. The acceptability of a specific level of development would be for determination at the Reserved matters stage

A motion was proposed that the development be restricted to a maximum of 50 dwellings and that the dwellings be of a 2-storey construction.

A vote took place and the motion was not carried.

A vote then took place on the determination of the application and the application was refused.

RESOLVED that application 16/0389/OUT Land West Of Fleet Bridge Road, Chesham Grove, Norton be refused for the following reason:

In the opinion of the Local Planning Authority the applicant has failed to provide sufficient information to satisfactorily demonstrate that housing can be accommodated on the site given its constrained nature as a result of significant level changes, existing landscaping, and flood risk, contrary to saved policy H03 of the adopted Local Plan.

- P**  
**102/16**
- 1. Appeal - Reivax, High Lane, Maltby, Middlesbrough, TS8 0BG - 16/0380/FUL - ALLOWED WITH CONDITIONS**
  - 2. Appeal - Rear Of 3 Beaconsfield Road, Norton, Stockton-On-Tees, TS20 1JL - 16/0557/FUL - DISMISSED**
  - 3. Appeal - Land South Of Kirk Hill, Carlton Village, Carlton, TS21 1EA - 16/0185/OUT - DISMISSED**

The Appeals were noted.

- P**  
**103/16**
- 1. Appeal 89 Lanehouse Road, Thornaby, Stockton-on-Tees 16/0189/COU - ALLOWED WITH CONDITIONS**
  - 2. Appeal Land North Of 8 To 12, Thistle Green, Stockton-on-Tees 16/0201/FUL DISMISSED**

- 3. Appeal 91 Lanehouse Road, Thornaby, Stockton-on-Tees 15/3073/COU  
ALLOWED WITH CONDITIONS**
- 4. Appeal Land Adjacent To Thornaby Road, Ingleby Barwick 15/0931/OUT  
ALLOWED WITH CONDITIONS**

The Appeals were noted.