

Planning Committee

A meeting of Planning Committee was held on Wednesday, 5th July, 2017.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chairman), Cllr Helen Atkinson, Cllr Carol Clark, Cllr Nigel Cooke, Cllr David Harrington (Sub Cllr Gillian Corr), Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Paul Kirton, Cllr Jean O'Donnell (Sub Cllr Tracey Stott), Cllr Marilyn Surtees, V Vacancy, Cllr Ian Dalgarno (Sub Cllr Mrs Sylvia Walmsley), Cllr David Wilburn

Officers: Elaine Atkinson, Simon Grundy, Jade Harbottle, Ruth Hindmarch, Joanne Roberts, Peter Shovlin, Colin Snowdon (EG&DS), Julie Butcher (HR,L&C) Sarah Whaley (A,D&ES)

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

Apologies: Cllr Gillian Corr, Cllr Tracy Stott, Cllr Mrs Sylvia Walmsley

P 29/17 **Evacuation Procedure**

The Evacuation procedure was noted.

P 30/17 **Declarations of Interest**

Cllr Nigel Cooke declared a personal non prejudicial interest in item 17/0872/FUL 42 Junction Road, Norton as he was friends with 2 of the objectors. Cllr Cooke spoke on the item but did not vote.

P 31/17 **17/0872/FUL 42 Junction Road, Norton Erection of a pair of semi-detached properties to the rear of 42 Junction Road with proposed access from Grantham Road**

Consideration was given to a report on planning application 17/0872/FUL 42 Junction Road, Norton.

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 it was considered that the proposed development was acceptable in terms of appearance, landscaping, layout and scale and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours.

It was considered that the proposal was in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation was to approve the application subject to the conditions set out in the report.

Members were presented with an update report which since the original report,

the materials condition had been reviewed and amended as detailed within the update report. The change was only minor and did not affect the recommendation.

Members were asked to note that paragraph 29 of the main report stated a construction management plan would not be requested due to the scale of the development; however following further discussions with the Highways Transport and Design Manager it had been agreed that a condition to control details of the build could be recommended due to the constraints that the road could pose in terms of a high level of on street parking and no vehicle turning facilities being available. The Applicant had agreed with the suggested condition as he was also keen to limit any adverse impact on residents during construction works. The suggested condition was contained within the update report.

The recommendation of the main report remained unchanged, which was that the application be approved with conditions along with the amended condition 2 (Materials) as set out within the update report and the addition of a condition in relation to Construction Management.

The Committee were provided with photographs by an objector which were showing the site and surrounding area.

Ward Councillor Norma Wilburn highlighted many concerns raised by residents these could be summarised as follows:

- The adverse impact on character and appearance of the street scene.
- The Councils Design Manager had indicated that the development may detract from the street scape and character of existing houses.
- The submitted tree survey was very basic.
- The overbearing nature and overdevelopment of the site.
- The nature of the design interfered with the privacy of its neighbours.
- There were several garden developments on Junction Road however these were substantially different in scale and did not rely on access onto a very narrow road.
- It was noted within the report that the Design Manager noted that the site was less than suitable for the proposed development and that it was an overdevelopment of the site.
- There were many Issues relating to parking and traffic which seemed to be the most challenging aspect of the development.
- Grantham Road was extremely narrow and residents regularly parked on the street as they did not have access to off street parking.
- The only area in Grantham Road where there was additional parking and room to manoeuvre was directly outside the garden wall of no 42 Junction Road.

Introducing further side entrances would remove this parking spaces and restrict vehicles making a 3-point turn.

- There were questions raised as to why Highways had not commented on the additional traffic flow.

- Members were asked to refuse the application.

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:

- Reference was made to 'Landscape and Visual Comments' of the Consultation section of the report. The comments made by the Councils Principal Tree and Woodlands Officer which appeared to contradict the comments the same Officer had made at paragraph 25 of the report relating to the submitted tree survey.

- Residents had asked several times that a tree survey be carried out to the BS5837 standards.

- Reference was made to the NPPF which encouraged sustainable forms of development whilst not specifically discouraging development within rear gardens, therefore this should also be interpreted as not specifically encouraging it either. It was felt that the sentence within the report was very biased and weighted towards the applicant and contradicted the Councils own view as published in its Regeneration and Environmental Local Plan of 2015.

- Concerns were raised in relation to contradictions relating to the design. The summary part of the report stated that the two dwellings were considered to be of an adequate design, and the conclusion summary at paragraph 36 stated 'acceptable in terms of appearance', however the report also quoted from the NPPF that one of the key principles to be taken into account was to secure high-quality design and a good standard of amenity. High quality and a good standard was not the same as adequate and acceptable. The proposal was substandard to the NPPF.

- The housing would have a detrimental effect on residents and did not contribute to protecting or enhancing the environment in any way.

- Where paragraph 34 of the main report indicated that restrictive covenants were a separate legal issue and not a material planning consideration, it was not a view shared by residents.

- Issues were raised in relation to the replacement of existing mature trees with similar species, however it was felt that saplings could not support the already existing wildlife.

- Concerns were raised in relation to privacy and overlooking.

- There was to be Velux windows in the roofline of the proposed properties which would directly overlook neighbouring properties. The planning report stated that the windows would be at an oblique angle, however if you were to

stand at the window when open there would be full visibility of neighbouring properties.

- If approved there would be loss of a view of a pleasant green corridor for some residents.

- 2.5 storey homes were completely out of character with the amenity of the existing street.

- Reference was made to paragraph 20 of the main report in relation to undue consideration given to the host property. This should have been of no concern as they were the applicant and clearly happy with the proposal. The report completely dismissed any privacy concerns of neighbouring properties.

- Concerns were raised in relation to separation distances and the guidelines used to determine these.

- There were some disagreements in relation to Paragraph 34 regarding the Council's opinion, that should the development be approved this would not necessarily set a precedent for further development of corner plots.

- It was felt that there would be significant impact on the amenity and wellbeing on residents of Grantham Road.

- One objector had been informed by a valuer that should the development go ahead; her property would be devalued.

- The road was too narrow to accommodate construction vehicles.

- There were concerns raised in relation to road safety and damage to parked cars.

- Due to traffic safety issues and the unsuitable nature of the road, the application should be refused. Highways had not considered any of the issues surrounding road and traffic safety.

- Emergency services should have been invited to comment on the application.

- Many of the statements of Planning Policy were clearly leaning in favour of the applicant.

- No planning permission had been granted on the north side of Junction Road, why should an application for a development in someone's rear garden impinge on a separate road.

- A planning application had been refused at 24 Junction Road due to reducing the level of amenity of resident's privacy. Why had this not been considered for the proposed application?

- Reference was made to paragraph 15 of the report where planning approvals had been granted to the rear gardens of 85 and 101 Junction Road, however purpose-built access roads were built to deliver materials accommodating the construction of the site. These dwellings were also out of site and well away

from Junction Road. The approved dwellings were also addressed as Junction Road, however the proposed dwellings were to be addressed as Grantham Road, and would have totally different postcodes from that of the host address. Due to the approval of dwellings at 85 and 101 Junction Road, the report stated that the principle of development was considered acceptable. It was however felt by residents that the principle of development was not acceptable as the similarities could not be more different.

- During 1994 and 2007/9 an application to develop a property at 24 Junction Road was applied for and refused due to reducing the level of amenity by virtual loss of privacy.
- There were 4 empty properties already in Grantham Road therefore the development was not needed.
- An additional 96 dwellings had planning permission on Junction Road.
- An additional 2500 had also received planning approval opposite a nearby Tesco.
- The whole area around Grantham Road would be devoid of greenery.
- Planning applications should be based on need not greed.
- There had already been damage to one neighbour's garden wall due to a vehicle having difficulty due to the nature of the Road.

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

- In terms of character and appearance the applicant had considered and taken into account the look of existing properties within the vicinity.
- Where concerns had been raised in relation to the height of the proposed dwellings it was highlighted that the host property was 1.8 metres higher than the proposed dwellings.
- It was acknowledged that Grantham Road had historic parking issues however these could not be alleviated.
- In relation to the tree survey, there were no trees which would meet the criteria of a tree preservation order (TPO)
- Where Objectors had referred to the 2015 Local Plan, this could not be taken into account as the Local Plans had not yet been adopted, and therefore carried no weight.
- A landscape plan had been agreed.
- Where reference had been made to the refusal of a dwelling at 24 Junction Road this was due to inadequate separation distances.
- In relation to the need for housing in the area, the lack of a 5 year housing

supply in Stockton highlighted that there was a need.

- The required separation distances could be achieved as set out within the main report.
- Amenity of residents had also been considered and detailed within the report, and de valuation of resident's homes was not a material planning consideration.

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

- Members drew Officers attention to the Highways comments detailed within the main report, which detailed that although there would be 2 incurtilage parking areas per house, there would be no scope to provide additional parking for the dwellings and therefore had suggested that the dwellings be restricted to 3 bedrooms by condition and permitted development rights be removed. This had just highlighted the parking and traffic issues further.
- The proposed parking bays for the new properties may be obstructed by parked cars on the other side of Grantham Road, therefore making it difficult for the residents of the proposed dwellings to access or leave their driveways.
- Many residents and visitors including refuse wagons had been seen reversing the entire length of Grantham Rad onto Junction Road due to poor turning points.
- It was felt that the construction phase itself would be extremely difficult due to the parking and traffic issues already highlighted.
- A Construction Management plan had had to be conditioned for what was a very small development due to highways issues.
- Some Members felt that Planning Officers were not listening to their Highways colleague's advice.
- The proposed dwellings were too high and impacted on amenity.
- The proposed new landscaping was significantly less than the existing street scape.
- Discussion took place around separation distances, as guidance stated that there should be a minimum of 21 metre separation distance however the proposal was only achieving 17 metres.
- Separation distances should be considered as a new build and not by what was already existing.
- Had the applicant considered a shared drive on Junction Road as it should have been?

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

- It was explained that where opinion was sought from colleagues and/or consultees, it was the role of Planning Officers to take a balanced view to enable them to make a recommendation.
- In relation to parking, traffic and construction vehicles, the Road was an existing Road with inherent restrictions with limited turning points. There would be a Construction Management Plan in place to manage the issues highlighted during the construction phase.
- Parking did meet Stockton Borough Councils standards. The size of the proposed dwellings had been restricted and 2 parking spaces per dwelling were to be provided.
- Each planning application was considered on its own merits and whether it warranted the support of Stockton Borough Council. In this instance, it was felt that it did.
- Safety in terms of access for emergency vehicles had been considered, 2 extra houses did not change the current situation.
- There was no information to suggest a shared drive on Junction Road had been considered.
- Where concerns had been raised relating to the separation gap, the current separation gap on the estate was 17 metres and the government stated that a 14-metre gap maybe acceptable, therefore the separation gap of the proposed dwellings was considered acceptable.
- Officers explained to The Committee that the application was for new properties which met the design guidance of SPD3 and with the right amount of incurtilage parking, vehicles from the proposed properties would not have to reverse onto Junction Road, but would be able to leave Grantham Road front facing
- Members were informed that Officers were not aware of any reversing refuse vehicles onto Junction Road however if the vehicles were performing manoeuvres found to be different to that of the HSE requirements then this would be taken on board.

A vote took place and the application was refused.

RESOLVED that application 17/0872/FUL 42 Junction Road, Norton be refused for the reasons as set out below:

1 Character and Appearance

In the opinion of the local planning authority, the proposed development by virtue of the scale, height and design will have an adverse impact on the character and appearance of the area, to the detriment of the street scene and is therefore contrary to the aims of the NPPF (para 56), Core Strategy Policy CS3(8) and saved policy HO3 of the adopted local plan.

2 Overdevelopment

In the opinion of the local planning authority, the proposed dwellings are an

overdevelopment of the site, appearing to be shoe-horned into the application site and is therefore out of character with the surrounding pattern of development contrary to the aims of the NPPF (para 56), Core Strategy Policy CS3(8) and saved policy HO3 of the adopted local plan.

3 Impact on Privacy

In the opinion of the local planning authority, the proposed dwellings by virtue of the height, positioning of windows and siting resulting in reduced separation distances; will have an adverse impact on the privacy and amenity of properties at 3 and 5 Grantham Road, at contrary to the aims of the NPPF (para 57); saved policy HO3 of the adopted local plan and the guidance contained in SPG2 Household Extension Guidance.

4 Highway Safety

In the opinion of the local planning authority, the introduction of additional dwellings on Grantham Road would lead to the intensification of a narrow cul-de-sac with no vehicular turning facilities. This road already suffers from a high level of on street parking, some of which will be removed by the implementation of this scheme; therefore leading to an adverse impact on highway safety and further constraints on manoeuvrability, contrary to saved policy HO3 of the adopted local plan.

**P
32/17**

17/0103/FUL

**Land At Thorntree Farm And Rear Of 93 Bassleton Lane, Thornaby
Residential development comprising the erection of two houses and five
bungalows plus associated garaging and parking.**

Consideration was given to a report on planning application 17/0103/FUL Land At Thorntree Farm And Rear Of 93 Bassleton Lane, Thornaby.

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 the impacts of the proposal had been considered against national and local planning guidance. The application site was within the defined limits to development but partly fell within a designated Green Wedge and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan.

The Planning Inspector during the most recent appeal concluded the effective extension of the settlement would not be a positive feature but the scale of harm to the green wedge would be limited given its existing lawful use and defined margins and did not dismiss the appeal based on the development of the site as a whole.

Housing applications were to be considered in the context of the presumption in favour of sustainable development. It was considered that there were material considerations that outweighed the policy of constraint in this instance (CS10) and there were no adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable including design and layout, highway safety, it did not adversely impact on neighbouring properties (or future occupiers) or the ecological habitat. It was therefore recommended that the application be Approved with Conditions for the reasons specified above.

The Applicants Agent attended the meeting and was given the opportunity to make representation. The Agents comments could be summarised as follows:

- The Applicant had sought to revise the application to address the Planning Inspectors concerns.
- The number of proposed bungalows had been reduced from 5 to 6 units, and had been re-designed.
- There was an additional proposal for tree and shrub planting on the outer edge of the brick wall South West corner of the site which would plug the gap in landscaping on the outer edge of the site whilst improving amenity for walkers and cyclists.
- The proposed development and the bungalows would be an asset to the area and the Borough. There was a shortfall and high demand of bungalows across the Borough.
- There had been no objections from Northumbrian Water, Natural England and Tees Archaeology subject to appropriate conditions.
- Highways had raised no objections and the Environmental Health Unit requested that conditions relating to a scheme for demolition and construction hours be applied.
- The proposed access arrangements were considered acceptable as was the scale and Landscape measures which had been proposed.
- The proposed site did not lie within designated Green Wedge.
- Although part of the site lay within proposed green wedge as outlined within the emerging Local Plan which was at a very early stage, this area could not be afforded green wedge designation until the new Local Plan was adopted.
- The Officer recommendation was welcomed.

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

- Reference was made to previous refusals for development of the proposed site, including as detailed within the main report where the Planning Inspectors previous refusal of an appeal had concluded that 'The harm that would result to the character and appearance of this area would be sufficient to significantly and demonstrably outweigh the benefits'. The appeal decision to refuse was made in 2015.

- The site was part of the Tees Heritage Park which separated Thornaby from Ingleby Barwick.

- It was felt the site was Green Wedge and always had been.

- The sooner the Local Plan was adopted the better as Green Wedge was important to the Borough's residents.

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

- Where concerns had been raised relating to Green Wedge, Officers explained that only the southern element of the site was identified as being within Green Wedge as represented on the Core Strategy Strategic Diagram. Therefore, only that element of the site could be considered against CS10(3), however, that needed to be balanced against a lack of a 5-year housing land supply, and, as the Council did not currently have this it weighed in favour of the scheme. Much of the boundary of the site was surrounded by a brick wall and the Councils Landscape section had looked at the site to see how that functioned and taken a view as to whether it had a harmful impact. Their view was that it did not have a harmful impact on either the Green Wedge or Tees Heritage Park and consequently would not have an impact on the character of the area.

- The site itself was heavily screened by existing vegetation and therefore was why Officers arrived at the opinion that there would be no adverse impact to the remainder of the Green Wedge.

A vote then took place and the application was refused.

RESOLVED that application 17/0103/FUL Land at Thorntree Farm and Rear Of 93 Bassleton Lane, Thornaby be refused for the reasons as set out below:

In the opinion of the Local Planning Authority the scale and mass of the proposed development would appear large and at odds with the open character of the area which surrounds the site on three sides and forms part of the Tees Heritage Park and significantly extend the perceived extent of the development associated with the settlement. The proposal would seriously detract from the open nature of the landscape within the green wedge, thereby harming the character and appearance, the openness and amenity value of the area and is therefore contrary to the Stockton on Tees Adopted Core Strategy Policy 10 (3ii) and the core principle of the Framework to recognise the intrinsic character and beauty of the countryside. The layout of the scheme and proximity to the boundary with little relief between the boundary and the proposed buildings would substantially increase their prominence and emphasise the loss of openness, representing poor design, contrary to the design standards expected by the Framework.

P 17/0909/REM
33/17 Wynyard Village Extension - Phase A, Wynyard,
Reserved matters application the erection of 138 dwellinghouses.

Consideration was given to a report on planning application 17/0909/REM Wynyard Village Extension - Phase A, Wynyard.

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 the nature and scale of the development was acceptable and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and the layout was acceptable in terms of highway safety and was in accordance with policies in the Development Plan identified above and therefore the recommendation was to approve the application subject to the conditions set out in the report.

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

- Outline permission had already been granted.
- 8 objections had been received however these objections had already been dealt with at the outline stage.
- The Applicant and Officers had worked positively together which had resulted in the layout, house type and the areas of public space being proposed.
- The Highways, Transport and Design Manager had no objections to the scheme subject to specific details as set out in appendix 1 of the main report, being secured by the appropriate controlling conditions as detailed within the previously approved application 13/0342/EIS.
- The scheme as detailed within the report was considered acceptable and it was hoped that Committee shared the same opinion.
- Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:
 - Questions were raised in relation to affordable housing.
 - The developer was congratulated for bringing the school element of the proposal forward.

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

- Where questions had been raised in relation to affordable housing, it was explained that this had been dealt with at the outline stage, however confirmation would be given as to whether this would be an offsite contribution.

A vote took place and the application was approved.

RESOLVED that planning application 17/0909/REM be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date on Plan
A/1228/V7/00/01	3 May 2017
A/1228/V7/00/02	3 May 2017
A/1336/V6-V7/00/01	3 May 2017
A/1336/V6/00/02	3 May 2017
A/1336/V7/00/02	3 May 2017
A/1394/V6-V7/00/01	3 May 2017
A/1394/V6/00/02A	3 May 2017
A/1394/V7/00/02A	3 May 2017
A/1546/V6-V7/00/01	3 May 2017
A/1546/V6/00/02A	3 May 2017
A/1546/V7/00/02A	3 May 2017
A/1550/V6-V7/00/01	3 May 2017
A/1550/V6/00/02A	3 May 2017
A/1550/V7/00/02A	3 May 2017
A/1591/V6-V7/00/01	3 May 2017
A/1591/V6/00/02A	3 May 2017
A/1591/V7/00/02A	3 May 2017
A/1666/V6-V7/00/01	3 May 2017
A/1666/V6/00/02A	3 May 2017
A/1666/V7/00/02 A	3 May 2017
A/17/01/V7/00/02A	3 May 2017
A/1701/V6-V7/00/01A	3 May 2017
A/1701/V6/00/02A	3 May 2017
A/1796/V7/00/01	3 May 2017
A/1796/V7/00/02A	3 May 2017
A/2210/V7/00/01	3 May 2017
A/2210/V7/00/02A	3 May 2017
A/2243/V7/00/01	3 May 2017
A/2243/V7/00/02A	3 May 2017
16-17-007 - P01 Rev D	23 June 2017
16-17-007 - P11 Rev C	23 June 2017
NT13126 001 REV C	26 June 2017

02 This approval relates solely to this application for the approval of Reserved Matters and does not in any way discharge condition numbers 9, 10, 11, 12, 13, 15, 16, 18, 19, 22, 24, 26 contained in the Outline Planning Approval reference

13/0342/EIS which still require the submission of specific details and the written approval of the Local Planning Authority.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: 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 gaining additional and revised information to assess the scheme and by the identification and imposition of appropriate planning conditions.

Informative: Lighting

The specification of the LED lighting is yet to be agreed for the upgrading of the existing Wynyard Village street lights and columns. Should the developers agree to have an enhanced specification then this scheme will have to match the agreed specification and these costs will have to be met as additional commuted sums to the section 38 agreement.

**P
34/17**

17/0919/REM

Low Lane, High Leven

Reserved matters application for the appearance, landscaping, layout and scale, for residential development of 55 no. dwellings.

RESOLVED that item 17/0919/REM Low Lane, High Leven be deferred to a future of the Planning Committee.

**P
35/17**

1. Appeal - Mr Richard Attwood - 11 The Rigg, Yarm, TS15 9XA

16/3017/FUL - DISMISSED

2. Appeal - Mr John Foster - The Stables, Thorpe Road, Carlton, Stockton-On-Tees, TS21 3LB

16/1545/COU - DISMISSED

The Appeals were noted.