

Planning Committee

A meeting of Planning Committee was held on Wednesday, 15th August, 2018.

Present: Cllr Norma Stephenson O.B.E(Chair), Cllr Mick Stoker(Vice-Chair), Cllr Helen Atkinson, Cllr Jim Beall (Substitute for Cllr Paul Kirton), Cllr Derrick Brown, Cllr Carol Clark, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Tony Hampton, Cllr Jean O'Donnell (Substitute for Cllr Eileen Johnson), Cllr Ross Patterson (Substitute for Cllr David Harrington), Cllr Marilyn Surtees and Cllr Mrs Sylvia Walmsley.

Officers: Simon Grundy, Elaine Atkinson, Peter Shovlin (EG&D), Julie Butcher (HR, L&C), Stephanie Landles (CS), Peter Bell (DCE).

Also in attendance: Agents for the applicants, members of the public and a member of the press.

Apologies: Cllr David Harrington, Cllr Eileen Johnson, Cllr Paul Kirton and Cllr David Wilburn.

P 29/18 Evacuation Procedure and Planning Protocol

The Chair welcomed everyone to the meeting and the evacuation procedure was noted. It was also noted that the Governance Officer would be making an audio recording of the meeting to assist in the drafting of minutes of the meeting.

P 30/18 Declarations of Interest

There were no interests declared.

P 31/18 17/2777/REM Wynyard Village Extension, Phase F, Wynyard Reserved Matters application (access, appearance, landscaping, layout and scale) for the erection of 280no dwellinghouses with associated infrastructure within phase F, Wynyard Woods, Stockton

Consideration was given to a report on planning application 17/2777/REM Wynyard Village Extension, Phase F, Wynyard - Reserved Matters application (access, appearance, landscaping, layout and scale) for the erection of 280no dwellinghouses with associated infrastructure within phase F, Wynyard Woods, Stockton.

Outline planning consent was granted on 30th January 2017 for the construction of up to 500 houses, Primary School (inc Sport Facilities and nursery, Retail Units (up to 500sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths and open space (all matters reserved).

This application was a reserved matters application for the access, appearance, landscaping, layout and scale for the erection of 279 dwellings.

The proposal was considered to be in line with general planning policies as set out in the Development Plan and is recommended for approval with conditions.

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 Officer's 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 is to approve the application subject to the conditions and Heads of Terms set out in the report.

The agent for the applicant was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- The application was in accordance the outline planning consent that was granted on 30 January 2017. The proposal related to Phase F of the outline planning permission. This Phase of development comprised the erection of 279 homes with the provision of formal and informal open space and included the provision of a Spine Road which links the development with approved phases to the east including the Primary School. Charles Church proposed 240 three to five bed properties and Robertson Homes propose 39 four, five and six bedroom properties. A self-build plot was also proposed although the final details would be the subject of a future reserved matters.
- With regard to access the site will have two points of access, connection, through the adjacent site to the east, to Wynyard Woods, a connection, through the adjacent Deer Street development, to Wynyard Woods.
- The applicant had worked proactively with Planning Officers and had made a number of changes to the layout which included re-arranging and replacing house types re-aligning the estate roads to comply with the appropriate standard and reviewing the landscape proposals. These changes had a positive effect on the overall scheme which compliments the surrounding area resulting in a high quality sustainable development.

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

- Concerns about the felling of the mature trees that had already taken place?
- The density of some of the houses looks cramped in the bottom corner of the site.
- Does the application still comply with the outline application?
- Does the application accord with the Core Strategy Plan?
- What is the possibility of a roundabout being provided to access the A689 from the development?

Officers were given the opportunity to respond to Members comments / questions. These could be summarised as follows:

- The density does accord with the Guidance.
- The application does still comply with the outline application.
- It was unfortunate that some additional mature trees had been felled but it was the requirement of the outline application that some trees be removed and replaced. The trees will be replaced by broad leaf species that will improve the ecology. Officers had worked with the applicant and come up with a better scheme.
- There was no requirement for a new roundabout. The scheme was fully traffic modelled as part of the outline consent with existing roundabouts.

A vote then took place and the application was approved.

RESOLVED that planning application 17/2777/REM be approved subject to the following conditions and informatives below and subject to the applicant entering into an agreement with the Council to meet the Heads of Terms set out below:

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

Plan Reference Number Date on Plan
Y001S12 9 November 2017
263/A/GWS/01 9 November 2017
FENCHURCH 01 21 November 2017
FENCHURCH 02 21 November 2017
FENCHURCH 03 21 November 2017
COMPTON 01 9 November 2017
COMPTON 02 9 November 2017
COMPTON 03 9 November 2017
CLAYTON CORNER 01 9 November 2017
CLAYTON CORNER 02 9 November 2017
CLAYTON CORNER 03 9 November 2017
CLAYTON CORNER 04 9 November 2017
CLAYTON CORNER 05 9 November 2017
CHEDWORTH 01 9 November 2017
CHEDWORTH 02 9 November 2017
CHEDWORTH 03 9 November 2017
CHATSWORTH 01 9 November 2017
CHATSWORTH 02 9 November 2017
BOND 01 9 November 2017
BOND 02 9 November 2017
BOND 03 9 November 2017
HANBURY 01 21 November 2017
HANBURY 02 21 November 2017
HARLEY 01 21 November 2017
HARLEY 02 21 November 2017
HATFIELD 01 9 November 2017

HATFIELD 02 9 November 2017
HOLBORN 01 21 November 2017
HOLBORN 02 21 November 2017
HOLBORN 03 21 November 2017
HOLBORN 04 21 November 2017
HOLBORN 05 21 November 2017
HOLBORN 06 21 November 2017
KNIGHTSBRIDGE 01 9 November 2017
KNIGHTSBRIDGE 02 9 November 2017
KNIGHTSBRIDGE 03 9 November 2017
KNIGHTSBRIDGE 04 9 November 2017
MARLBOROUGH 01 9 November 2017
MARLBOROUGH 02 9 November 2017
MARLBOROUGH 03 9 November 2017
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MARLBOROUGH 05 9 November 2017
MARLBOROUGH 06 9 November 2017
MARYLEBONE 01 21 November 2017
MARYLEBONE 02 21 November 2017
MARYLEBONE 03 21 November 2017
MARYLEBONE 04 21 November 2017
MAYFAIR 01 21 November 2017
MAYFAIR 02 21 November 2017
MAYFAIR 03 21 November 2017
MAYFAIR 04 21 November 2017
MAYFAIR 05 21 November 2017
MAYFAIR 06 21 November 2017
OXFORD 01 9 November 2017
OXFORD 02 9 November 2017
PORTLAND 01 21 November 2017
PORTLAND 02 21 November 2017
PORTLAND 03 21 November 2017
REGENT 01 21 November 2017
REGENT 02 21 November 2017
REGENT 03 21 November 2017
MULBERRY 01 21 November 2017
MULBERRY 02 21 November 2017
SAFFRON 01 21 November 2017
01 31 May 2018
MURRAY 01 31 May 2018
MURRAY 02 31 May 2018
PL-02-1-CPT-246 REV-A 31 May 2018
PL-02-2-CPT-246 REV-A 31 May 2018
PL-02-3-CPT-246 REV-A 31 May 2018
PL-02-4-CPT-246 REV-A 31 May 2018
SIENNA 01 9 November 2017
SIENNA 02 9 November 2017
ROSEBERRY 01 9 November 2017
ROSEBERRY 02 9 November 2017
SOUTER 01 9 November 2017
SOUTER 02 9 November 2017
SUTTON 01 9 November 2017
SUTTON 02 9 November 2017

STEWART 01 31 May 2018
STEWART 02 31 May 2018
WARWICK 01 31 May 2018
WARWICK 02 31 May 2018
PL-02-1 REV E 3 August 2018
01 3 August 2018
CPT-245 PL-02-2 REV D 10 July 2018
01 9 November 2017
SAFFRON 02 21 November 2017
SAVANNAH 01 21 November 2017
SAVANNAH 02 21 November 2017
5835-93-001-01 REV D 23 July 2018
5835-93-002-01 REV D 23 July 2018
5835-93-003-01 REV D 23 July 2018
5835-93-004-01 REV D 23 July 2018
5835-93-005-01 REV D 23 July 2018
5835-93-006-01 REV D 23 July 2018
5835-93-007-01 REV D 23 July 2018
5835-93-008-01 REV D 23 July 2018
5835-93-009-01 REV D 23 July 2018
5835-93-010-01 REV D 23 July 2018
5835-93-011-01 REV D 23 July 2018
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5835-93-014-01 REV D 23 July 2018
5835-93-015-01 REV D 23 July 2018
5835-93-016-01 REV D 23 July 2018
5835-93-017-01 REV D 23 July 2018
5835-93-018-01 REV D 23 July 2018
5835-93-019-01 REV D 23 July 2018
5835-93-020-01 REV D 23 July 2018
5835-93-021-01 REV D 23 July 2018
5835-93-022-01 REV D 23 July 2018
5835-93-023-01 REV D 23 July 2018
5835-93-024-01 REV D 23 July 2018
5835-93-025-01 REV D 23 July 2018
5835-93-026-01 REV D 23 July 2018
5835-93-027-01 REV D 23 July 2018
5835-93-028-01 REV D 23 July 2018
5835-93-029-01 REV D 23 July 2018
5835-93-030-01 REV D 23 July 2018

2. 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, 20, 21, 22, 23, 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.

3. No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works, including any phasing, shall be in

accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

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.

**P
32/18**

18/0244/COU

The Keys, 65 High Street

Proposed change of use of the rear landscaped garden area to a beer garden (A4)

Consideration was given to a report on planning application 18/0244/COU The Keys, 65 High Street - Proposed change of use of the rear landscaped garden area to a beer garden (A4).

The application sought a change of use of an existing landscaped garden area owned by the keys and located to the rear of the existing terrace area to be brought into use by the Keys as an outdoor seating area for eating and drinking.

There were 10 letters of objection to the proposal.

The Head of Environment Health raised no issues in regards to the impacts on residential amenity and noise providing appropriate controlling conditions were put in place in respect of operating hours and numbers of patrons using the garden area.

The application was therefore recommend for approval with appropriate conditions for the reasons set out in the report.

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.

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

- Concerns about members of the public comments on the application.
- Is there any time limit on planning conditions?

- Was the noise report done by the owners of the pub or was that Stockton Council? And why is it 62 patrons at any one time? And can the number be reduced? And does the fact that patrons will be smoking raise any health issues for local residents?

- With regard to the letters of objection, one details that the area of land is surrounded by large brick faces that make a courtyard effect that produces a courtyard effect. The potential impact of the noise on the surrounding properties can't be ignored.

- Has the Planning Inspector's decision on the previous application for the site influenced the Officers' recommendation?

Officers were given the opportunity to respond to Members' comments / questions. These could be summarised as follows:

- Residents' concerns have been looked at but there is already a terrace there at the moment so there is already a degree of over-looking and inter-visibility. With regard to the play area at the side this was an issue that was raised with the Planning Inspector but he over-ruled the concerns. The hours of use give control over the situation to ensure that residents get quality of life.

- Planning conditions last for in perpetuity but if a new application is approved with conditions the new conditions supersede the previous conditions. Any extra numbers of patrons in the beer garden would be a Licensing issue. Patrons will be allowed to smoke under the law and Officers would not be allowed to impose any conditions.

- The noise report was produced by the applicant.

- Officers have given due regard to the Planning Inspector's decision, MPPF and the controls that can be imposed on the application and once those things have been balanced out, the conclusions are detailed within the report.

- With regard to the number of patrons that are allowed in the area, this is not an increased number, it was calculated using a specific acoustic national standard calculation based on how much noise a crowd of people will make when they are using the area. The pocket of land is restricted to 62. The area although now larger still has the same amount of people restricted to it of 62, therefore the people will be more spread out which will reduce the impact of the noise over that area. There is also very strict time constraints on the area of land and this will be controlled by staff of the premise that will be monitored by Council officers.

A vote then took place and the application was approved.

RESOLVED that planning application 18/0244/COU be approved subject to the following conditions and informative below;

Approved Plans;

1. The development hereby approved shall be in accordance with the following

approved plan(s);

Plan Reference Number	Date on Plan
1557/002	2 February 2018
1557/001C	2 February 2018

Customer numbers;

2. The cumulative number of customers using any of the outdoor areas associated with the Keys at any one time shall not exceed 62 patrons.

Hours of use;

3. The A4 beer garden area hereby approved shall not be open for use or occupied by customers outside of the hours of 10.00hrs and 21.00 hours 7 days a week.

**P
33/18**

18/0639/FUL

The Smiths Arms, Carlton.

Application for the erection of 2 detached houses to the rear, landscaping and associated means of access. Including reconfiguration of public house car park and beer garden including erection of gazebo and creation of an outside seating patio area to front.

Consideration was given to a report on an application that sought planning permission for the erection of two detached dwellings within the grounds of the Smiths Arms public house, Carlton.

There had been 20 letters of objection from neighbouring properties and also an objection from the Ward Councillor and Parish Council.

The application had been considered in respect of the comments raised. It was considered that the proposal was acceptable in respect of the impacts on the amenities of neighbouring properties, the character of the area, the existing pub operation, the impacts on landscaping/trees and highway considerations.

The application was considered to be acceptable for the reasons set out in the officers' report and was recommended for approval with conditions.

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 proposal was considered acceptable and could be accommodated on the site without any unacceptable impacts on the amenity of the occupants of surrounding properties, the character of the area including trees and did not compromise highway safety and as such it was considered that the proposal was acceptable.

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

- 6 trees in the beer garden have already been felled by the brewery, have they ever had permission to do this?

- Under the NPPF – it says “any local financial consideration should be taken into consideration” and for us without the beer garden, the pub isn’t viable and therefore local jobs aren’t viable.

- At paragraph 127 (f) of the report the application doesn’t take into account future users.

- At paragraph 130 of the report it says that permission should be refused if the development fails to take the opportunities available for improving the character and quality of an area” and I don’t think that it does.

- Under HO3 of the Local Plan, this application does all of that and should be refused.

- Under material planning considerations the application should not be classed as a brownfield site.

- The pub and the village post office are a pivotal part of the village community. The garden is well used with BBQs and charity events to name but a few. The loss of the pub garden would result in the loss of the family appeal and it would turn into more of a drinking establishment. The application is not just from the private sector but is from the brewery and they see it as a commercial gain. If the pub becomes unsustainable and the pub is lost the whole area will become open to development. The tenants should also have a say as it is their livelihood. The tenants would like to use the whole of the pub area for future events. The Planning Department are the custodians of the community and are responsible for all areas of family life decisions have been made in the past that are regrettable. If this application is agreed you can’t turn the clock back.

The agent for the applicant was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows:

- The report provides a comprehensive overview of the proposals and the planning considerations. With regard to some of the concerns raised by the local community, the applicant is providing a new smaller beer garden which will continue to provide an outdoor space that can be hired for private or community events. In addition to this a new seating area will be provided to the front of the pub building. This will enhance the appearance and character of the site, it may attract more passing trade. The car park will be re-configured and this will improve the existing arrangement.

The proposed changes and the recent refurbishment of the pub will provide an overall improved facility for the community. In commercial terms this will enhance the function of the pub so it can continue trading in a sustainable way. With regard to access for emergency vehicles and deliveries into the site our transport consultant has advised that access into the rear car park is sufficient

and is more than 5 meters wide at its narrowest point. The minimum requirement is 3.7 meters. There is also adequate turning space in the car park for fire tenders, ambulances and delivery vehicles. This has been demonstrated by vehicle tracking of a 12 meter long truck transport statement.

During the course of the application concerns were expressed by our case officer about design issues, in response the applicant introduced several improvements to the application. This included introducing a designated pedestrian walkway from the main road to the proposed residential properties. One additional speed ramp as a traffic calming measure. New lighting to improve visibility and nature surveillance within the car park. Increasing the height of the boundary fence of the new residential properties and introducing a new vehicle and pedestrian walkway for the new properties. Overall this application has demonstrated that it satisfies all planning policy considerations including being respectful to the amenities of the adjacent properties.

Officers were given the opportunity to respond to comments/questions raised. These could be summarised as follows:

- Not aware of any Tree Preservation Orders on the site.
- With regard to the material planning considerations, they are all set out in the officer's report and it is our view that the scheme is acceptable.
- The site is considered to be previously developed land as it is commercial.
- The community use has been noted and we have had an application to make the beer garden a community asset and that is being considered by the Council legal team.
- Any possible future development would be considered at the relevant point in time.
- The Highways, Transport and Design Manager reported that with regard to the transport issues there were a number of concerns and officers were led to believe the tracking that forms part of the application was going to be changed as we believe that delivery vehicles can't get round the back of the premise. Should the vehicles get round the back of the premise they wouldn't be able to turn because of the residential gates. It was our understanding that all the vehicles currently access the pub from the front of the car park. We are also aware that the plans were inaccurate as they indicated a flue, which in itself may prevent a heavy goods vehicle entering the rear of the premise. Bins from the new properties would be collected from the front of the premise. A walkway is required and that is a meter protected chevron area. That will require some adjustment to the fence at the front of the premise. Speed ramps have been provided but the drawing indicates the speed ramps going into the pedestrian walkway that is clearly not safe. We would not want pedestrians walking where the agent has suggested as vehicles will be manoeuvring over that pedestrian access.

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

- The issues that have been raised by the Highways, Transport and Design Manager need resolving and therefore the application should be deferred.

The Planning Development Services Manager was asked to comment on the proposed recommendation and he advised that given the comments of the agent for the applicant and the need to reconsider the application in the light of potentially different information the recommendation was changed to deferral to enable officers to review the proposed development and review the recommendation.

A vote then took place and the application was deferred.

RESOLVED that planning application 18/0639/FUL be deferred.

P 18/1227/LA
34/18 Junction Farm Primary
School Single storey side extension comprising of 2no. SEN classrooms, a sensory room and other ancillary spaces. Extension to existing car park to create 4no. additional car parking spaces.

This application seeks full planning permission for a single storey extension comprising of 2No. SEN classrooms, a sensory room and other ancillary spaces. Extension to existing car park to create 4No. additional car parking spaces accessed from Abbeyfield Drive.

There is an identified need to address rising pupil numbers in the locality and the proposed works are designed to address this issue.

One letter has been received which is principally raising concern over the management of the grass and how this will be maintained following the extension of the carpark.

The principle of the development is supported by Local and National Planning Policy. Whilst the development would result in a loss of land designated as playing field Sports England have not raised any objection to the proposed development. No objections have been received from any Technical Consultees.

The proposed extension is considered to be an appropriate form of development in terms of character, form, scale and siting. The development will be seen within the wider context of an existing educational facility when viewed within the wider street scene.

It is considered that due to the size and location of the developments there will not be a significant detrimental impact on the amenity of neighbouring occupiers or the visual amenity of the area. The proposal is therefore considered to be in line with general planning policies set out on the Development Plan.

Members are therefore recommended to approve the application in line with the recommended conditions and informative.

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

Overall the nature and scale of the development is considered to be acceptable and the parking provision and access is satisfactory. It is considered that the developments will not have any significant undue impact on the amenity of neighbouring occupiers and will not have a significant detrimental impact on the street scene or character of the area. The proposal is therefore considered to be in line with general planning policies set out on the Development Plan.

A vote then took place and the application was approved.

RESOLVED that planning application 18/1227/LA be approved subject to the following conditions and informative detailed below:

Approved Plans

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

Plan Reference Number	Date on Plan
A10918-100	25 May 2018
A10918-104	25 May 2018
A10918-107	25 May 2018
A10918-105	25 May 2018
A10918-106	25 May 2018

Tree Protection;

2. Notwithstanding the submitted information, no development shall commence until a scheme for the protection of trees BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) - Operatives Handbook 19th November 2007 has been submitted to and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Soft Landscaping;

3. Notwithstanding the information submitted prior to the commencement of any soft landscaping works, full details of Soft Landscaping shall be 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 unless otherwise agreed with the LPA in writing in the first planting season following: commencement of the development or agreed phases 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.

Materials;

4. Notwithstanding any description, samples of the exact colour of the vertical panel cladding and entrance canopy hereby permitted should be submitted to and approved in writing by the Local Planning Authority prior to installation. Development shall be carried out in accordance with the approved details.

Construction Hours;

5. All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

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