

Planning Committee

A meeting of Planning Committee was held on Wednesday, 20th March, 2019.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Helen Atkinson, Cllr Derrick Brown, Cllr Carol Clark, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Tony Hampton, Cllr Ross Patterson (Sub Cllr David Harrington), Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Jean O'Donnell (Sub Cllr Marilyn Surtees), Cllr Mrs Sylvia Walmsley, Cllr David Wilburn

Officers: Greg Archer, Helen Boston, Stephanie Landles, Martin Parker, Joanne Roberts, Peter Shovlin(EG&DS), Julie Butcher(HR,L&C), Sarah Whaley(DCE)

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

Apologies: Cllr Mick Stoker, Cllr David Harrington, Cllr Marilyn Surtees,

P Evacuation Procedure

71/18

The Evacuation Procedure was noted.

P Declarations of Interest

72/18

There were no declarations of interest.

P Draft minutes from the Planning Committee meeting which was held on 73/18 6th February 2019

Consideration was given to the minutes from the Planning Committee meeting which was held on the 6th February 2019 for approval and signature.

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

P 18/2403/FUL

74/18

**Land North Of, Blair Avenue, Ingleby Barwick
Application for the erection of food store with associated car parking and landscaping.**

Consideration was given to planning application 18/2403/FUL Land North Of, Blair Avenue, Ingleby Barwick. Application for the erection of food store with associated car parking and landscaping.

Planning permission was being sought for the erection of a new food store (Use Class A1) for the discount retailer Lidl. The associated works would include the provision of parking spaces and landscaping. The building would extend to 2,205 sq. metres gross external area (GEA), with a net sales area of 1,325 sq. metres., the supporting information indicated that approximately 20% of the floor space (or 265 sq.m) would be for comparison goods.

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 material planning considerations contained within the main report the proposed development was considered to be in a suitable location and of an appropriate scale and design for the area. The proposal was also not considered to pose any significant risks to highway safety, the amenity of neighbouring occupiers, flood risk or ecology.

In planning terms, the proposed development was considered to be acceptable in all other regards. The proposed development was therefore recommended for approval subject to those planning conditions set out within the main report.

Members were presented with an update report which since the main report detailed a response to the letters circulated to Members by Pegasus on behalf of Asda. The LPA addressed the comments raised to provide clarity to Members. All details were contained within the update report. The applicant's agent had also responded to the letter, details of which were also contained within the update report.

The update report had advised Members that no weight should be given to the proposed S106 regarding the transfer of designated public open space to the Council.

The minor revisions to the recommended conditions did not alter the purpose of the conditions as originally proposed or the recommendation of the main report, which was that the application be approved with conditions.

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

- Although a Lidl store was welcomed the location was considered unsuitable due to an already congested traffic flow within the proposed location of the development. It was also highlighted that many children crossed the busy highway close to the proposed development which raised road safety issues.
- The nearby roundabout was considered to be tremendously busy with many amenities already feeding onto it and the introduction of another would only exacerbate the current problems.
- The local Tesco store had recently experienced a spate of antisocial behaviour and it was felt that the addition of the proposed Lidl Store would exacerbate the situation.
- There was a Lidl in the nearby town of Thornaby which was only a ten minutes' drive from Ingleby Barwick. It was highlighted that the Thornaby store relied on much of its footfall from Ingleby Barwick residents, and the introduction of the Ingleby Barwick store would have a negative impact on the Thornaby store, as well as other businesses within Thornaby Town Centre.
- It was reported that one small business which had operated within a local parade of shops in Ingleby Barwick had struggled with the introduction of the new Ingleby Barwick Sandgate shops and had had to relocate. Business was

being taken away from the One Stop Shops.

- Some Objectors felt rather than another large food store a new shopping parade within Ingleby Barwick would be more beneficial to residents and smaller businesses.

- On paper it appeared that Ingleby Barwick had enough residents to warrant another food store however many residents were shopping off the estate.

- Within close proximity to the proposed Lidl store was the local secondary school All Saints which was to be extended and the development of a new leisure centre. The impact of additional traffic following the completion of both developments would not be fully known and would add to traffic congestion.

- There was a primary and nursery school and also a residential care home for the elderly, all of which were fed by the same junction as the proposed Lidl Store. This junction was the busiest on the estate and it was considered unacceptable to build a new supermarket opposite a secondary, primary and nursery school, and therefore should not be approved.

- A suggestion was made to defer the application until a full traffic impact assessment could be carried out on completion of the new leisure centre and school extension.

- Concerns were raised over construction traffic entering the site and turning right on a long sweeping bend near the primary school. If the proposed application was approved today or on appeal then there must be traffic calming and pedestrian crossing measures to mitigate against the impact of additional traffic.

- A representative from Asda explained that although they did not oppose competition, it must be in the right area. Reference was also made to the questions raised within the update report and how condition 16 was intended to be enforced. It was felt that the forty five minute window allowed for morning deliveries was too tight a schedule. What would happen should delivery vehicles be held up, missing delivery deadlines?

The Planning Consultant representing Lidl was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- The site was currently empty and awaiting development.

- Ingleby Barwick was currently under represented in terms of food stores.

- All material planning considerations had been fully addressed.

- A Section 106 agreement had been agreed similar to the recently approved Lidl Store in the centre of Stockton.

- The application accorded with Local Planning Policy and the NPPF.

- The new store would improve shopping choice to residents of Ingleby Barwick.

- There would be an investment boost to the local economy
- 40 new jobs would be created, the majority of which would be filled by local people.

The application promoted sustainable development.

- In terms of highways and traffic matters, there had been a detailed traffic assessment and all traffic and highways matters had been agreed by Council Officers.
- In terms of the highways model assessment this showed additional traffic associated with the new store was negligible.
- All the Local Authority's comments had been addressed and the proposal was considered to be acceptable in technical and planning terms.
- There were clear benefits for Ingleby Barwick residents and Stockton as a whole.

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

In terms of highways and traffic safety issues Highways Officers were satisfied with the proposal.

- In terms of Anti-Social Behaviour there was no evidence of this in the proposed areas as the store was not yet open.
- The open space around the store would be transferred to the council and the council surveillance team would be able to monitor the area.
- There were robust documents suggesting similar proposals had not had adverse effects on neighbouring town centres.
- Reference was made to paragraph 47 and 49 of the Officers report which detailed that following the local junction assessment and the Ingleby Barwick Aimsun Model (IBAM) which had been undertaken, it could not be demonstrated that the proposed development would have a severe impact on the local highways network.

All modelling stated the junction would operate successfully in terms the highway network.

- Regarding the proposed conditions within the Officers report, these had been drawn up with Highways, Environmental Health and Planning Officers, and it was felt these were reasonably enforceable.
- It had been noted that children would visit the proposed store and the current signalised crossing would remain.
- It was expected and accepted that parents would park at the proposed store

utilising its car park and access the school using the signalised crossing.

- Regarding service vehicles, it was preferred that all service vehicles be off site by 7.45am. It was however recognised staff would be on site prior to that but that was an operational issue.

- Where concerns had been raised in terms of construction vehicles it had been recognised that there was a lot of construction going on in and around the vicinity of the proposal and therefore a Construction Management Plan would be implemented.

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

- There were major concerns relating to traffic and the Highways Comments which were contained within the main report.

- Objections were raised in terms of highway safety, congestion and the location of the proposed store.

- Concerns were raised in terms of the traffic modelling and the local traffic impact assessment, which some Members felt had not taken into account all future development at All Saints Secondary Schools and the Leisure Centre.

- Asda and Lidl in Thornaby were big anchor stores. One more Lidl close by was one too many. It was believed that approximately 30 to 40% of the Thornaby customers came from Ingleby Barwick.

- Questions were raised in relation to what kind of pedestrian crossing was planned.

- The Impact to local businesses had not been taken into account.

- The proposed store was very close to Rosedale Care Home which could be impacted by noise associated with the store such as noise of delivery trucks from 7.00am to 7.45am.

- There had been reported issues at the newly developed Sandgate shops, where bottle banks had been picked up at 5.00 am disturbing local residents.

- It was acknowledged that residents would appreciate a large discount store such as Lidl just not in the proposed location.

- Discussion took place around the number of additional vehicle journeys that had been reported in the transport assessment.

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

The Environmental Health Officer explained that in terms of concerns raised in relation to noise from delivery vehicles, this could be mitigated against and enforced to protect the elderly at Rosedale Care Home which was why the delivery schedule had been set no earlier than 7.00am. Should delivery vehicles

arrive prior to 7.00am then this could be tackled to safeguard those residents, however there was nothing that could be done in terms of noise from general traffic.

- Officers acknowledged all the points raised had been reasonable, however reiterated the level of investigation which had gone into the traffic modelling. There had been a robust traffic assessment and therefore there was no reason to refuse.

A motion was proposed and seconded that the application be deferred to a future meeting of the Planning Committee due to a lack of information.

Members requested that a full presentation be given providing all information on the traffic assessment which had been undertaken. Information was also requested in terms of the impact the proposed store may have on surrounding areas.

A vote took place and the motion was carried.

RESOLVED that planning application 18/2403/FUL Land North Of, Blair Avenue, Ingleby Barwick be deferred to a future meeting of the Planning Committee for the reasons as set out above.

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75/18 **18/2565/ADV**
Land North Of Myton Park Primary School, Blair Avenue, Ingleby Barwick
Advertisement consent for 3no. internally illuminated fascia signs, 5no.
externally illuminated hoarding signs, 1no. non-illuminated hoarding sign
and 1no. internally illuminated flag pole sign.

Consideration was given to planning application 18/2565/ADV Land North Of Myton Park Primary School, Blair Avenue, Ingleby Barwick.

Due to Planning Application 18/2403/FUL being deferred, the representative for Lidl requested that application 18/2565/ADV also be deferred as the applications were linked.

A vote then took place and the application was deferred.

RESOLVED that planning application 18/2565/ADV Land North of Myton Park Primary School, Blair Avenue, Ingleby Barwick be deferred to a future meeting of the Planning Committee for the reasons as set out above.

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76/18 **1. Appeal - Mr MICHAEL TAOUXIS - 43 Hillcrest Avenue, Stockton-on-Tees,**
TS18 5AF
18/0922/FUL - DISMISSED

The Appeals were noted.

