

Planning Committee

A meeting of Planning Committee was held on Wednesday, 6th February, 2019.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chairman), Cllr Helen Atkinson, Cllr Derrick Brown, Cllr Carol Clark, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Tony Hampton, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Marilyn Surtees, Cllr David Wilburn

Officers: Simon Grundy, Stephanie Landles, Martin Parker, Peter Shovlin(EG&DS), Julie Butcher(HR,L&C), Sarah Whaley(DCE)

Also in attendance: Applicants Agents and Members of the Public

Apologies: Cllr David Harrington,

P Evacuation Procedure

65/18

The Evacuation Procedure was noted.

P Declarations of Interest

66/18

There were no declarations of interest.

P Draft minutes from the Planning Committee Meeting which was held on the
67/18 16th January 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 18/2404/FUL

68/18

Land To The East Of Bridge Road, Stockton-on-Tees, TS18 3AD
Application for the erection of a food store with associated car parking
and landscaping (Demolition of existing buildings)

Consideration was given to planning application 18/2404/FUL Land To The East Of Bridge Road, Stockton-on-Tees, TS18 3AD.

The application site was bound to the west by the High Street / Bridge Road, which runs north/ south through Stockton Town Centre, and to the east by the A1305 Riverside Road and the River Tees. To the north was the Castlegate Centre and Swallow Hotel. To the South was St Johns Crossing. Extending to 0.83 ha it was an irregular rectangular shape and was currently occupied by a number of buildings that were located along Bridge Road that included hot food takeaways, offices and retails units. The remaining part of the site was made up of hardstanding car parking with some landscaping located on the south eastern corner of the A1305 and Riverside.

The Site was within the defined development limits of Stockton Town Centre and in line with Policy EG1 and had been identified as a mix use development

site. Part of the Site was within the Stockton Town Centre Conservations Area. The Site was within Floodzone 1 and at a very low risk of surface water flooding.

Full planning permission was sought for the demolition of the existing buildings and erection of a Lidl store measuring 2,086 sqm gross external area (GEA) with a net sales area of 1,300 sqm, (Use Class A1) and associated works including parking (123 no. parking spaces including 8 disabled spaces, and 8 parent and child spaces), along with secure cycle parking underneath the store entrance canopy and landscaping.

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 material planning considerations 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 archaeological remains.

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 in the main report.

Members were presented with an update report which since the original report updated conditions recommended within the original planning committee report.

Minor revisions had been made to Condition 02; Surface Water Treatment, Condition 04: Initial Site Access, and Condition 06; Hard Landscaping. Full details of the revisions were contained within the update report and 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.

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

- The principle of development was acceptable.
- Stockton High Street lacked a food store the size of that proposed and was in accordance with the NPPF and Council's policy.
- All material planning considerations had been met.
- The proposal delivered a number of benefits as follows:

- securing a brownfield site for the development,
 - creation of 40 jobs to be filled by local people,
 - meeting customer's needs,
 - improving shopping choice in Stockton Town Centre
 - Increasing footfall to neighbouring businesses.
- There had not been any objections raised by local residents or statutory consultees.
- This was sustainable development which should be approved as soon as possible.

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

- Questions were raised in relation to the public car park at the proposed site and if this would be lost if the application was to be approved and would additional parking be provided?
- Members asked if the current Tilley Bailey and Irvine Offices were to remain, as it was felt that the building occupied by the company had historic value.

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

- Officers confirmed that the car park at the proposed site was a public car park however Officers felt that the provision of public car parking within Stockton Town Centre was plenty. In addition the proposed food store would provide car parking for its customer.

In relation to the building which was currently occupied by Tilly Bailey Irvine, Officers confirmed that that building and the Chinese Restaurant next door would not be included in the demolition.

A vote took place and the application was approved.

RESOLVED that That planning application 18/2404/FUL be approved subject to the following conditions and informatives and detailed below;

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

Plan Reference Number	Date on Plan
A(90)GAP012 REV 1	
A(90)GAE001_REV5	
A(90)GAP001_REV3	
A(90)GAP002_REV1	
A(90)GAP010 REV 16	
A(90)EXP010_REV4	
	15 October 2018
	25 October 2018
	31 October 2018
	15 October 2018

22 January 2019

15 October 2018

02 The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Suitable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. 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 designed of the surface water management system;

II. A build programme 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 the construction phase;

IV. Details of adoption responsibilities.

03 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk & Drainage Impact Assessment Revision C dated 12/12/2018 and the following mitigation measures detailed within the FR&DIA.

- The discharge rate is restricted to 17l/s for all storm events.
- The design of the surface water management system should have sufficient storage within the system to accommodate a 1 in 30 year storm and shall also ensure that storm water resulting from a 1 in 100 year event plus 40% climate change surcharging the drainage system can be stored on site.

05 No development 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 tree 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.

06 No development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority.

This shall 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 before practical completion of the store or in respect of soft landscaping completed in the first planting season following practical completion of the store. 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.

07 No development shall commence until full details of proposed soft landscape management has been 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, replacement programme for all landscape areas including retained vegetation, (other than small privately owned domestic gardens), maintenance access routes to demonstrate operations can be undertaken from publically accessible land, special measures relating to the time of year such as protected species and their habitat, management of trees within close proximity of private properties etc. This information shall be submitted to and approved in writing by the Local Planning Authority.

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

08 Prior to the commencement of development, 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.

09 Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, (whichever is applicable) prior to the commencement of development, 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.

10 Recording of a heritage asset through a programme of historic building recording and archaeological works

A) No demolition or development shall take place/commence until a programme of historic building recording and archaeological works, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1.The programme and methodology of site investigation and recording
- 2.The programme for post investigation assessment
- 3.Provision to be made for analysis of the site investigation and recording
- 4.Provision to be made for publication and dissemination of the analysis and records of the site investigation
- 5.Provision to be made for archive deposition of the analysis and records of the site investigation
- 6.Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the historic building recording has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.'

11 A scheme should be provided to control dust emissions as a result of demolition works, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection.

12 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

13 An intrusive site investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

This must be conducted in accordance with DEFRA and the Environment

Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

14 No development shall take place, until a Demolition and 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 including any restrictions on delivery times;
- (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, including but not limited to wheel washing facilities and the use of mechanical road sweepers, to avoid 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 Within each of associated HGVs including any measures necessary to minimise the impact on other road users;
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.

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

16 No construction/demolition activity or deliveries shall take place on the premises before 8.00 a.m. on weekdays and 8.30 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays).

17 Before the development hereby approved is completed and occupied, details of a scheme for the servicing and receiving of deliveries including hours of operation shall be submitted to and approved in writing with the Local Planning Authority. Thereafter all servicing or deliveries to the store shall be in accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.

18 The hereby approved retail store shall not be open for business outside the hours 08:00- 22:00 Monday to Saturday and 10:00 to 16:00 on Sundays and Bank Holidays.

19 The development hereby approved, shall be built out in full accordance with the Discussions and Recommendations Chapter 5 of the Preliminary Ecological Appraisal as received by the Local Planning Authority on the 15th October 2018.

20 The development hereby approved, shall be built out in full accordance with the Sustainability Statement as received by the Local Planning Authority on the 21 November 2018.

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 seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Informative: s278 Works outside of the Site.

The developers attention is drawn to the requirement of a s278 agreement which may include alterations to highways, footway and landscape improvement that lies outside of the red-line boundary of the application site.

Informative: Hard Landscaping

The proposed hard landscaping to the rear of the store on Bridge Road should reflect the hard landscaping of the adjacent areas of public realm, as this area relates to Bridge Road rather than the store

Informative: Surface Water Discharge Guidance

Surface water discharges from this site shall be flow regulated to ensure that flooding problems elsewhere in the catchment are not exacerbated. The discharge rates from the site will be restricted to 17l/s with sufficient storage within the system to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event plus climate change surcharging the drainage system can be stored on site without risk to people or property and without overflowing into drains or watercourse. Full Micro Drainage design files (mdx files) including the catchment plan and 3D topographical survey must to be submitted for approval. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event plus climate change should also be provided.

The proposed development must not increase the risk of surface water runoff from the site or cause any increased flood risk to neighbouring sites. Any increase in surface water generated by the proposed development or existing surface water / groundwater issues on the site must be alleviated by the installation of sustainable drainage system within the site.

The updated guidance states the new allowances for climate change now require both +20% scenario and a +40% scenario. Therefore new surface water drainage scheme designed within the Flood Risk Assessment/Drainage Strategies require at least three sets of calculations; 1 in 30 year event; 1 in 100 year plus 20% climate change and 1 in 100 year plus 40% climate change.

- Drainage systems can be designed to include a 20% allowance for climate change;
- A sensitivity test against the 40% allowance is required to ensure that the additional runoff is wholly contained within the site and there is no increase in the rate of runoff discharged from the site. It must be demonstrated that there are no implications to people from the increased flood hazard (volume between 20% and 40% allowance). It is crucial that the additional runoff from the 40% is contained within the site and does not contribute to an increased flood risk to people/property/critical infrastructure/third parties elsewhere.
- If the flows cannot be contained within the site without increasing risk to properties or main infrastructure a 40% allowance must be provided.

Informative: Crime Prevention and Community Safety

The applicant is advised to implement the suggestions, where practical, from

the Architectural Liaison Officer received by the Local Planning Authority on the 22nd November 2018.

Informative: British Gas

The applicant is advised that Northern Gas Networks require the promoter of these works to contact them directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Informative: Asbestos

The buildings concerned were built before 2000 and therefore likely to contain asbestos material. The applicant's contractor should prepare a site specific Asbestos Survey of the buildings in advance of construction/demolition work. The survey should be carried out by a suitably qualified person, and provide sufficient information for an asbestos register and plan to be prepared, a suitable risk assessment to be carried out and a written plan to manage the risks to be produced.

Informative: Northumberland Water

We can inform you that multiple assets cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.

Informative: Archaeology

The developer is advised to contact Tees Archaeology in relation to the condition of for the recording of a heritage asset through a programme of historic building recording and archaeological works, to discuss the specific requirements as outlined within the consultation response.

P 18/2463/FUL
69/18 2 Lingfield Drive, Eaglescliffe, TS16 0NX
Application for the conversion of 1no dwelling house to create 2no dwelling houses.

Consideration was given to planning application 18/2463/FUL, 2 Lingfield Drive, Eaglescliffe, TS16 0NX.

Planning permission was being sought for the sub-division of an existing residential dwelling into two residential properties at 2 Lingfield Drive in Eaglescliffe.

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 it was recommended that the application be approved with conditions for the reasons as specified within the main report.

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

- Concerns were raised in terms of the impact of additional parking.
- It was felt that the photographs of Lingfield Drive presented during the Committee meeting did not give a true representation of how congested the road really was.
- There was no other terraced housing on Lingfield Drive therefore the proposal was out of character.
- The initial application for a single dwelling was refused, therefore why should this be allowed.
- An objector expressed that the applicant had already made provision for a staircase within the proposed property prior to planning approval and therefore it was felt that the Planning Committee should investigate this further prior to making a decision.

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

- This was a very straight forward application for the extended property to be used as 2 smaller houses.
- There was to be a very simple front porch and the internal staircase had not been laid out as suggested by the Objector.
- In terms of concerns raised relating to parking, this was not a consideration, however there was to be 2 parking spaces per property.
- The application needed to be considered at face value and on its own merits.

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

- The pictures that the objector referred to were recent and had been taken Monday 4th February 2019.

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

- Following a visit to the site, the estate only had semi and detached properties.

- This application would propose a 3 row terrace which was out of character with the street scene.
- The proposal had never been granted permission in its original application and this proposal was not the way we would like applicants to proceed.
- If we approved the application today then this could set a precedent for future houses to be subdivided

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

- In terms of subdividing properties, if the application was approved this would not set a precedent as each application was assessed on its own merits. Future applications would still have to work and have enough amenity such as parking.
- The site was on a corner plot and had a large amount of space therefore could be subdivided.
- There was a good mix of housing in the area therefore was considered acceptable. The built form of the proposal was already there therefore if refused the visual impact would not change, and therefore did not warrant a refusal. Only the addition of a porch would change the build.

A vote then took place and the application was approved.

RESOLVED that planning application 18/2463/FUL be approved subject to the following conditions and informatives:

01 Commencement Period

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

02 Approved Plans

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

Plan Reference Number	Date on Plan
L017053-202 REV A	22 October 2018
L017053-203 REV A	22 October 2018
L017053-200	22 October 2018

03 Materials

The external finishing materials shall match with those of the existing building.

04 Vehicular Parking Provision

Prior to the occupation of the proposed dwellings, the driveway to the front shall be provided in accordance plan L017053-202 A. The hard-standing shall be constructed from porous/permeable materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house and the hard standing shall be retained for the life of the development thereafter. The spaces shall be retained for perpetuity of the proposed use.

05 Hours of Construction

No construction activity shall take place on the site outside the hours of 8.00am - 6.00pm Monday to Friday, 8.00am - 1pm Saturday and nor at any time on Sundays or Bank Holidays.

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.

Informative: Dropped Kerb

The applicant should contact Care for Your Area 01642 391959 regarding the construction of the dropped vehicle crossing.

**P
70/18**

**1. Appeal - Chloe Chantell - 32 Pacific Drive, Thornaby, Stockton-on-Tees,
TS17 8GS
17/2816/RET - DISMISSED**

The Appeals were noted.