

Planning Committee

A meeting of Planning Committee was held on Wednesday, 3rd July, 2019.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chair), Cllr Carol Clark, Cllr Chris Clough, Cllr Stefan Houghton (Sub Cllr Lynn Hall), Cllr Tony Hampton, Cllr Pauline Beall (Sub Cllr Eileen Johnson), Cllr Paul Kirton, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Jean O'Donnell(Sub Cllr Marilyn Surtees), Cllr Luke Frost (Cllr Steve Walmsley), Cllr Mrs Sylvia Walmsley

Officers: Stephen Donaghy, Michael Fearman, Simon Grundy, Peter Shovlin(EG&DS), Julie Butcher(HR,L&C), Sarah Whaley(DCE)

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

Apologies: Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Marilyn Surtees, Cllr Steve Walmsley

P Evacuation Procedure

10/19

The Evacuation Procedure was noted

P Declarations of Interest

11/19

There were no declarations of interest.

P Planning Protocol

12/19

The Planning Protocol was noted.

P Minutes from the Planning Committee meeting which was held on the 5th June 2019

13/19

Consideration was given to the minutes from the Planning Committee meeting which was held on the 5th June 2019 for approval and signature.

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

P 19/0328/VARY

14/19

**Land To The East, Of Cowpen Bewley Road, Saltholme
Section 73 application to vary condition No.13 (Noise) of planning approval 18/2079/FUL - Application for a gas fired generating facility (GFGF) for the generation of 49.99MW electricity to facilitate regional distribution during generation shortfall and to meet peak supply demands.**

RESOLVED that the item be deferred to allow notice of the application to be published.

P 19/0331/VARY

15/19

**Land to the East Of, Cowpen Bewley Road, Saltholme
Section 73 application to vary condition No.13 (Noise) of planning approval 18/2082/FUL - Application for a gas fired generating facility (GFGF) for the generation of 49.99MW electricity to facilitate regional**

distribution during generation shortfall and to meet peak supply demands.

RESOLVED that the item be deferred to allow notice of the application to be published.

P 18/0874/COU
16/19 Corner View, Ellehcim Pace Your Pooch, Wynyard Road, Thorpe Thewles
Change of use of land for the siting of 10 timber clad caravans, to include the creation of a new vehicle access and access road.

Consideration was given to planning application 18/0874/COU, Corner View, Ellehcim Pace Your Pooch, Wynyard Road, Thorpe Thewles.

The application site was an agricultural field which had significant changes of levels throughout, with land levels rising up from Wynard Road along the southern boundary to Castle Eden Woodland to the northern boundary. The part of the site of which the application related was the most elevated position along the northern boundary.

The application was seeking permission for the change of use of the site to allow the siting of 10.No. timber clad caravans. The Caravans would be situated along the northern boundary. The proposal was also to include the creation of a new vehicle access and access road to be taken from the southern part site at Wynyard Road.

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 recommended that the application be refused for the reasons as detailed within the main report.

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

- The Applicant was currently running a successful dog grooming business and was looking to diversify.
- Where concerns had been raised in relation to highways, landscape and drainage, the Applicants Agent felt that conditions could be included to mitigate against this.
- Concerns raised in relation to the visual impact on the Countryside could be

mitigated by tree planting. Officers of the Council had informed the Applicant that they felt that the trees were not mature enough to mitigate against this. The Applicants Agent however felt that this could be overcome with more mature tree planting.

- Reference was made to an appeal which was allowed on a similar type of site known as Abbey Farm where the inspector had ruled that the cabins on that site did not have a detrimental effect on the local area.
- Increased tourism would have economic benefits to the wider area.
- The Applicants Agent explained to the Committee that in terms of transport access, the Applicant had put various access schemes forward, however Officers had only considered one option which they had deemed unsuitable.
- The caravan structures were not permanent buildings as they were not fixed to the ground.

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

- Officers recognised that there was support for tourism within NPPF, SD48 policy which supported rural enterprise as long as it did not harm the countryside. Officers' view was that the 10 timber clad caravans would be highly visible and would harm the countryside. The trees suggested for planting would not mature until approximately ten years.
- The Applicant had failed to demonstrate the provision of suitable access. The access was required to be 60 metres apart from existing access, however the location of the proposed access was only 35 metres away. There was a strong possibility vehicles using the proposed access would experience a rear shunt.
- The proposed drainage was unacceptable as the application had failed to demonstrate a suitable means of treatment for foul and surface water.

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

- Questions were raised in relation to whether the proposal was to operate all year round.
- Some Members did not feel there was a lot wrong with the proposal as long as the concerns relating to access were resolved with mitigation.
- In terms of alternative access points that the Applicants Agent had highlighted, Officers were asked if they had given any consideration to these.
- Members raised the same concerns in terms of drainage / waste disposal as detailed within the comments made by the Environment Agency.

Officers were given the opportunity to respond to concerns raised by Members.

- Officers informed Members that these types of proposals could operate all year round, however a condition could be included which meant the caravans would only be used for holiday lets.
- It was confirmed that there had been some previous discussion in terms of alternative access however Officers had only viewed the access contained within the proposal. The proposed access was also only 35 metres to the west of the existing access for 'Ellehcim Pace Your Pooch' doggy hotel and this was required to be 60 metres.
- The highway which the proposed new access point would be taken from was currently closed at its eastern end and a Traffic Regulation Order prohibited the use of it by vehicles associated with the proposed change of use thereby preventing access to the proposed site.

A vote then took place and the application was refused.

RESOLVED that planning application 18/0874/COU be refused for the following reasons

Highways

01. In the opinion of the Local Planning Authority due to substandard visibility at the access, this proposal would intensify the use of a substandard access, thereby having a detrimental impact on highway safety contrary to the provisions of para 109 of the National Planning Policy Framework and Local Plan Policy SD8.

Landscape/Principle

02. In the opinion of the Local Planning Authority, the proposal is considered to be contrary to Policy SD4 and EG7 in so far as that the change of use would facilitate the siting of 10.No timber clad caravans which would have a demonstrable adverse impact on the wider character and appearance of the open countryside within a highly sensitive location. The proposed development of the Site would not relate well to an existing development and due to the highly prominent and sensitive location fails to respect the character of the countryside. There are no special circumstances relating to the proposal to override the policies of the Local Plan and Government policy within the National Planning Policy Framework.

Drainage

03. In the opinion of the Local Planning Authority the application has failed to demonstrate that a suitable means of treatment of foul and surface water can be achieved. Without sufficient information the LPA are not satisfied that the proposed development would not pose a risk to pollution of the water environment and would not increase the risk of surface water flooding. The proposed development is therefore considered to be contrary to advice contained within the NPPG, NPPF and Policy ENV4 and ENV5 of the Stockton

Borough Council Local Plan.

P 19/0221/COU
17/19 Scott Bros Transport, Workshops, Thornaby Community Fire Station
Change of use from industrial (B2) to a doggy day care centre and
grooming salon (sui generis). Erection of 1.82m high fencing.

Consideration was given to planning application 19/0221/COU Scott Bros Transport, Workshops, Thornaby Community Fire Station Change of use from industrial (B2) to a doggy day care centre and grooming salon (sui generis). Erection of 1.82m high fencing.

Planning permission was being sought for the change of use of part of the existing building into a doggy day care and dog grooming salon (Sui Generis). Externally the only alteration proposed was the erection of a secure boundary fence to allow the external exercising of the dogs.

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 application be refused for the reasons as specified within the main report.

Ward Councillor for the Village, Mick Moore was in attendance at the meeting and was given the opportunity to make representation. His comments could be summarised as follows;

- Councillor Mick Moore supported local residents concerns, that the proposal was too close to residential areas and the noise and smell that may come from the site was not acceptable.
- The proposal would be better suited to an industrial area, offering wide open spaces to exercise dogs.

A vote then took place and the application was refused.

RESOLVED that planning application 19/0221/COU be Refused for the following reasons

Amenity

01. In the opinion of the Local Planning Authority due to the proposed use of the building and yard for the purpose of a doggy day care/ dog grooming in such close location to existing residential dwellings would result in an unacceptable

level of amenity both within the dwellings and in the external amenity spaces even when taking into account the proposed mitigation measures. The noise, nuisance and general disturbance, caused from the close proximity of the Site to the existing residential properties would be contrary to para 127 of the NPPF which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings and Local Plan Policy SD8.

- P
18/19**
- 1. Appeal - Mr Bainbridge - Land To The Rear Of 61 Harlsey Road, Stockton-on-Tees, TS18 5DJ
17/2067/OUT - DISMISSED**
 - 2. Appeal - Mr Jeff Floyd - 34 Ellerton Road, Stockton-On-Tees, TS18 5NP
18/2291/REV - DISMISSED**
 - 3. Appeal - Tom Leanord Heating Services - 67 Greens Valley Drive, Stockton-on-Tees, TS18 5QH
18/2628/RET - DISMISSED**
 - 4. Appeal - Punch Partnerships (PML) Ltd - Smiths Arms, Carlton Village, Carlton, Stockton-on-Tees, TS21 1EA
18/0639/FUL - DISMISSED AND COSTS DISMISSED**

The Appeals were noted.