

# Planning Committee

A meeting of Planning Committee was held on Wednesday, 2nd June, 2021.

**Present:** Cllr Norma Stephenson O.B.E (Chair) , Cllr Mick Stoker (Vice-Chair), Carol Clark, Cllr Dan Fagan, Cllr Lynn Hall, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Steve Matthews, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Marilyn Surtees, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Bill Woodhead MBE

**Officers:** Julie Butcher, (HR, L&C), Simon Grundy, Stephanie Landles. Martin Parker, Rachel Powell, Joanne Roberts (D&BS), Peter Bell, John Devine, Nigel Hart, Sarah Whaley (MD).

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

**Apologies:** None

## **P       Declarations of Interest**

**1/21**

There were no declarations of interest.

## **P       Minutes of the Meeting held on 14th April 2021 - For Approval/Signature**

**2/21**

Consideration was given to the minutes of the meeting which was held on 14th April 2021 for approval.

RESOLVED that the minutes be approved as a correct record.

**P**

**3/21**

- **20/2800/LAF**  
**Land To Rear And Side Of 10 West Street, Yarm, TS15 9BU**  
**Construction of 59 no. space public car park with associated external works to include landscaping and boundary treatments. Works to include part demolition of existing buildings including steel framed canopy building and access ramp.**

Consideration was given to planning application 20/2800/LAF Land To Rear and Side of 10 West Street, Yarm, Stockton-on-Tees, TS15 9BU, Construction of 59 no. space public car park with associated external works to include landscaping and boundary treatments. Works to include part demolition of existing buildings including steel framed canopy building and access ramp.

The application sought planning permission for the construction of a 59 space public car park on land to the rear and side of 10 West Street Yarm. The car park would provide additional long stay car parking facilities for the centre of Yarm.

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 in terms of highway safety, did not adversely impact on the neighbouring properties and character of the Conservation Area, ecological habitat, archaeology, flooding/drainage and was recommended for Approval with conditions and for the reasons as specified within the main report.

Objectors and supporters attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- The car park was much needed for the market town of Yarm.
- The concrete base for the car park was already in-situ and therefore the development of the car park would present little impact on residents.
- The proposed site was a brownfield ex commercial piece of land and although concerns raised were appreciated, it was felt this site was the best option available to help alleviate the historical and ongoing parking issues experienced in Yarm.
- Concerns were raised in terms of flooding during high water
- It was felt the 59 space car park required an oil separator to deal with pollution, however this had not been included in the proposal.
- Unlike the car park behind Sainsbury's on Yarm High Street, the proposed site would not be closed / gated on an evening which could result in spates of Anti-Social Behaviour.
- There was a lack of a pedestrian footpath.
- It was stated that there was contamination / pollution on the proposed site.
- Questions were raised in terms of why trees were being removed and not replaced as they had been on the old Morgan's site?
- The report indicated that only 3 objections had been received which was incorrect.
- The traffic impact report detailed that the proposed car park would generate an additional 25 two way traffic movements by 9:00 am which indicated that by start of business the car park would be full which went against government guidance and traffic management. Concerns were also raised relating to air pollution created by additional traffic.
- Little had been done to address concerns raised by residents.

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

- Drainage issues had been fully considered and a condition was included which

stated that a detailed scheme for the disposal of surface water from the development be submitted and approved prior to the commencement of the development.

- The Environmental Health Manager had fully considered issues around pollution, and a condition was included for the proposed development.
- There was an oil interceptor.
- Although there was no separate footpath, traffic speed would be low and therefore the proposed car park was suitable to serve traffic and pedestrians.
- There had only been three objections raised.
- In terms of concerns raised around the removal of trees / landscaping. Landscaping was limited due to the development being a car park
- The Historic Buildings Officer was happy with the proposed development.
- Traffic movements were low therefore there was no need for air pollution controls. Traffic movements were estimated on historical data, therefore until the car park opened definitive figures would not be known.

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

- The need for an additional car park for Yarm was first discussed 38 years ago, therefore this had not been rushed into.
- Concerns were raised relating to the hours of use particularly night-time use for special events, otherwise if not then the car park should be gated.
- Members highlighted that serious consideration needed to be given in terms of flood risk / drainage, particularly flooding at Low Church Wynd.
- Should the proposal be approved, and on completion of the car park, it was felt that general traffic flow, noise, speeding and lighting would need to be monitored in terms of the impact on residents.
- Questions were raised as to whether there was to be a revision to on street parking on West Street.
- As the land was to be leased, a request was made in terms of the cost and if there would be an impact on council tax.
- The lease was for a duration of 30 years; however, questions were raised as to whether the landowner could cut this short.
- Was it necessary to remove all trees and vegetation?
- A long stay car park was long overdue, however we could lose spaces on West Street therefore the net gain would not be 59 spaces.

- There were concerns raised relating to the adjacent historic walls which were part of Yarm's charm and a lack of clarity in terms of treatment of the wall.
- It was worrying that the footpath would be closed during construction as the wall was deemed unsafe.
- Concerns relating to the adjacent historic wall were highlighted as it was felt that if the wall became unsafe it would simply need re building using the appropriate building materials particularly the right brick, for the wall to continue to be in keeping with the conservation area.
- Comments were also made relating to the necessary culverts which allowed rainwater to run off the viaduct into the culverts, however these had not been mentioned in the officer's report. In addition, the concrete entrance to the car park was adjacent to the wall and during construction would create dust. Confirmation was sought as to whether planning enforcement was in place to monitor the process.

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

- Officers agreed to take on board members comments and look at the finer detail in terms of boundary treatments
- In terms of landscaping, the Council's architects were satisfied with what had been proposed, however, where requests had been made to retain trees, this would be a question for the applicant to answer.
- Planning enforcement was in place to oversee the development.
- In terms of the car parks hours of use and the request for gates, Officers explained that they had not encountered any issues regarding Anti-social behaviour in any other Long Stay car parks in Yarm however would monitor the situation once the car park was open. Officers also agreed to investigate the possibility of opening the car park on an evening for night-time events.
- Revisions to on street parking were currently paused however would continue to be monitored.
- The terms and length of the lease were not Planning matters, although it was explained that there were very strict breaks in the lease for both parties which could not be broken easily.
- With regards to the southern boundary Officers confirmed this would be replaced with a suitable construction and if Members felt a boundary treatment was required then a condition could be added.

Members agreed to a condition being added requiring a wall to be erected on the southern boundary.

A vote then took place and the application with the additional condition outlined above, was approved.

RESOLVED that planning application 20/2800/LAF be approved subject to the following conditions and informatives below;

01 Approved Plans;

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

Plan Reference Number	Date Received
TS10386-02-002	18 December 2020
TS10386-03-001	18 December 2020
TS10386-03-004	18 December 2020
TS10386-90-001	18 December 2020
TS10386-00-003	18 December 2020
19N2047-900-P1	18 December 2020
19N2047-901-P1	18 December 2020
TS10386-02-001A	18 December 2020
SLDS-3638-V1 REV B	6 January 2021
TS10386-03-003E	12 March 2021

02 Archaeology

Recording of a heritage asset through a programme of archaeological works

A) No demolition/development shall take place/commence until a programme of archaeological work 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/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be used until the site investigation and post investigation assessment 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.

### 03 Drainage

Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

### 04 Construction management plan (highways) /dust and demolition

A Construction Management Plan shall be submitted and agreed in writing by the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, HGV Access time restrictions, loading and unloading of plant and materials; the parking of vehicles of site operatives and visitors; measures to effectively control dust emissions and dirt during construction, this shall address earth moving activities, control and treatment of stock piles, and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, and communication with local residents. The approved Plan shall be adhered to throughout the construction period.

### 05 Land contamination – Preliminary Risk Assessment

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. The assessment must be undertaken in accordance with the Environment Agencies 'Land Contamination Risk Management' Guidance (2020), CIRIA C665 and BS87576: Guidance in investigations for ground gases.

### 06 Construction/ Demolition Noise

All Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a

Saturday and no Sunday or Bank Holiday working.

Notwithstanding the submitted details, prior to the car park hereby approved being brought into use a boundary wall shall be erected to the south elevation of the proposed car park at the boundary with Low Church Wynd. The height, detailed design and materials of the proposed wall shall first be agreed in writing with the local planning authority and the works completed on site to the satisfaction of the Local Planning Authority.

07 Mitigation measures in the ecology report

All mitigation and enhancement measures detailed in the submitted ecological report of Naturally wild dated October 2020 shall be implemented in full in accordance with the advice and recommendations contained within the document.

08 Lighting and management of the car park

Notwithstanding the submitted information before development commences for the construction of the car park, precise details of the lighting, signage and Management Strategy shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.

09 Notwithstanding the submitted details, prior to the car park hereby approved being brought into use a boundary wall shall be erected to the south elevation of the proposed car park at the boundary with Low Church Wynd. The height, detailed design and materials of the proposed wall shall first be agreed in writing with the local planning authority and the works completed on site to the satisfaction of the Local Planning Authority.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

##### Informative 1: 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 information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

##### Informative 2: Network Rail

Part of the proposals involve Network Rail owned land and in order to proceed with this element of the scheme, the developer must seek agreement with Network Rail Property on terms of use for this land. The developer should contact Property Services ([propertyservicesLNEEM@networkrail.co.uk](mailto:propertyservicesLNEEM@networkrail.co.uk)) to commence discussions on the use of this land and any Network rail requirements.

##### Informative 3: Northumbrian Water sewer

The applicant is advised that a public sewer crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer 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.

##### Informative 4: Northumbrian Water drainage solution

The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- o Soakaway
- o Watercourse, and finally
- o Sewer

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network.

#### Informative 5: Northern Gas Networks

Northern Gas Networks advise that there may be apparatus in the area that may be at risk during construction works and they require the promoter of these works to contact them directly to discuss the requirements in detail. Should diversionary works be required these will be fully chargeable.

**P  
4/21**

#### **20/1063/FUL**

#### **Land North Of Holmewood Court, Aislaby Road, Eaglescliffe Erection of 14 no. holiday lodges with associated pathways and parking.**

Consideration was given to planning application 20/1063/FUL Land North Of Holmewood Court, Aislaby Road, Eaglescliffe Erection of 14 no. holiday lodges with associated pathways and parking.

The application site related to land immediately south of Aislaby road to the east of the village of Aislaby. The site had two large ponds and had been the subject previously of significant earthworks. Access was to be taken off the private access road to the east of the site and there was an existing area of hard surface to the west of the access road.

The application sought planning permission for the erection of 14No. holiday lodges and associated pathways and parking. The application had been revised to incorporate more land to the southern boundary to provide additional woodland planting and a reduction from 16. No lodges to 14 No.

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 Approved with Conditions for the reasons as specified within the main report.

Members were presented with an update report which since the original report, provided further clarification in respect of the Environment Agency position and detailed an additional objection which had been received. Full details were contained within the update report.



It was considered that no fundamental new issues had been raised and therefore the recommendation remained as set out in the original committee report.

Objectors and supporters attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- The application did not comply with Stockton Borough Councils Local Plan.
- The Council should only support those applications that did not harm the countryside
- The Landscape Visual Appraisal Document referred to the impact of the development and it was noted as being adverse in 6 out of 7 perspectives.
- The proposed schemes new driveway would cause significant material harm to the appearance and character of Aislaby and its rural surroundings, especially if it was still part of the Tees Valley Special Landscape Area (SLA).
- There would also be material harm from the 14 lodges and the 27 space carpark with associated lighting etc.
- It was felt there would be a lack of employment opportunities as the site would be ran by the owner and her daughter.
- The area was to be destroyed for financial gain
- It was reported that the Applicant had already felled trees and installed ponds without permission.
- Official public footpath signs including the Cleveland Way had been removed and there was still a 'private' sign on a public footpath which had been diverted without permission. Footpath diversions on the riverbank had been stripped of that much vegetation that the damage had caused slippage resulting in some trees growing in the river.
- It was felt that clause 39 of the material planning considerations under the heading, 'Character and Visual Impact' would be enough reason to refuse the application.
- Comments were made relating to Local Plan Policy SD5 where it was felt that the proposed development would be harmful and intrusive to these policies.
- Regrading neighbouring properties the proposed site was 50 metres from the closest house and 100 meters and 130 meters from other residential properties, all of which would be adversely impacted by noise from the site.
- The lodges could potentially take 84 people at full capacity which had not been considered when the noise assessment had been undertaken.
- Questions were raised relating to the 'Noise Impact Assessment' condition which stipulated that no music would be heard beyond the boundary of the site

and there was to be no outside seating from 10:00pm How were these conditions to be imposed?

- Reference was made to paragraph 180 of the NPPF identifying and protecting tranquil areas from noise. It was felt that Planning Officers had not put the right measures in place to mitigate and reduce that potential impact.
- Although the development was rural this was the correct area for the proposed development and was supported by local and national policy.
- The village of Aislaby was connected to Yarm via the Tees Flex bus service and Yarm was also accessible by foot.
- The development would help the hospitality industry in Yarm which had suffered since the pandemic.
- As the site was close to the Applicants house there would be no Anti-Social behaviour and there was also to be CCTV.
- There was to be additional screening, and additional wildlife habitats.
- This was an opportunity to support the hospitality economy as there was a lack of overnight accommodation in the area.
- In terms of issues surrounding highways, at the time the property was bought in 2008, there was already 8 lodges and several families living in the main house.
- There had been no objections to the access and car parking for the site from highways.
- A question was raised asking if there would be a condition to employ a banksman on the application.

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

- Where concerns had been raised relating to the loss of trees and damage to the surrounding environment, much of the operations discussed had occurred outside the site and officers were alerted during 2017. There was no breach to planning controls when investigated however officers would be happy to look at it as an ongoing investigation.
- Originally there had been consent for 7 chalets to the south of the site, which were already there but then removed, however planning had been granted for them to be replaced which had lapsed, hence the submission of the proposed application.
- In terms of visual impact, much of the harm came from the site itself, there was very limited impact externally. There were several mitigation measures such as hedges on the perimeter of site, design of site entrance etc. Officers felt there were enough controls to make sure the schemes impact was minimal.

- Regarding the identity and visual impact of Aislaby Village, the village would not be fundamentally altered therefore would keep its identity.

- The update report covered condition 10 and 11 which mitigated against noise levels. Noise levels had been looked at closely and officers felt that should any complaints come forward then council officers could manage this under the council's own legislation.

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

- One Member highlighted that they had attempted to walk from Aislaby to the vinegar works and across from Worsall to Newport Bridge. The hardest most difficult part was on the Yarm side. Trying to get from Aislaby Road to the riverside was difficult due to holes and fences. It appeared landowners were trying to keep public spaces private.

- The ponds on the proposed site had arrived without planning permission.

- As it stood currently, the proposed development had not made an application to Northumbrian Water to connect to the public sewerage network therefore questions were raised as to where sewerage would go from the site.

- Queries were raised relating to a proposal for 7 dwellings on the same site and whether this would be coming to a future Planning Committee for consideration.

- Members also questioned the visibility splays required on the access road which was connected to the 60 mph Aislaby Road. The report stated that visibility splays of 2.4m x 215m would be required in both directions but could not be achieved, however following a speed survey carried out by the applicant visibility splays of 2.4m x 120m to the left and 2.4m x 90m to the right were required, which highways accepted and stated would be achievable.

- In terms of tree clearance, Members felt an investigation must be seriously investigated.

- Applications like this were a constant attack on the natural environment, the proposed site was in the Tees Heritage National Park and would be like a caravan park.

- Concerns were raised in terms of the level of noise and intrusion that would be caused if the application was approved. Most people would be chatting and listening to music on their verandas using their own devices.

- Members questioned who would book lodges with a 10pm curfew and who would enforce it.

- This wasn't the right location for the lodges in terms of economy.

- What facilities did the council have to make sure public rights of way were not interfered with.

- Questions were raised as to what the speed limits were on the speed survey.

- Members felt that the application did not meet the requirements of SD4 SD5 and SD8 as follows.
- Out of centre proposal.
- Sustainable design principles not met.
- Character of area,
- Impact on area.
- Noise impact on tranquillity.
- No economic benefit to outweigh the benefit of the proposal.
- Conditions not enforceable such as 10pm curfew.
- Members also felt the application did not meet Natural, Built and Historic Environment Policy 5 (ENV) – Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity.
- In addition it was felt the proposed site was outside the limits to development and had an incursion on the Tees Heritage park.

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

- Where concerns had been raised relating to where foul water would go, Officers explained that there would be a foul water treatment plant which would then put clean water back into the natural water course.
- Officers noted concerns relating to tree clearance and confirmed there would be a thorough investigation.
- In terms of mitigation against noise, there was a condition, which was enforceable and met all required tests where action could be taken if required.
- Issues surrounding visibility splays being reduced following the applicants speed survey was explained. 85% of vehicles recorded travelled at the surveys indicated speed and 15% travelled higher than that, therefore officers used the data from the 85% to work out visibility splays.
- Historically there had been 7 wooden chalets on the proposed site where consent had previously been given to replace them. That consent had now lapsed and would need to be reinstated therefore the application was pending consideration. Officers did have concerns as to where they were sited therefore the application had been held in abeyance and the applicant had come back with the current proposal.
- It was confirmed that the council did have responsibility for public rights of way and had the powers to remove blockages, which was to the very edge of the site and would not be impacted, however if during construction temporary diversions could be enforced for up to 6 months.

- Highways Officers confirmed that that there was an average of 670 cars per day travelling in north bound direction 85% of those traveled less than 44 mph, 100 in both directions travelling above 44 mph. Maximum speed was 49 mph

A vote then took place and the Application was Refused.

RESOLVED that planning application 20/01063/FUL and be refused on the following grounds;

01. Unsustainable Location

In the opinion of the Local Planning Authority, the location of the proposed development of 14No. holiday lodges and associated development would represent an unsustainable location, which would fail to provide sufficient economic benefits or other special circumstances to outweigh the identified harm of the proposed development within local or national planning policies and therefore it is considered to be contrary to Local Plan Policies SD1, SD4 and EG7 and paragraph 11 of the NPPF.

02. Landscape Character

In the opinion of the Local Planning Authority the proposal of 14.No holiday lodges and associated development 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 would due its location fail to respect the character of the countryside contrary to Local Plan Policies SD4, SD5, SD8, EG7 and ENV5 of the Local Plan and paragraphs 83 and 84 of the NPPF.

03. Residential Amenity

In the opinion of the Local Planning Authority, the proposed development of 14no. holiday lodges and associated development would give rise to a level of activity which would be materially detrimental to the amenities of the occupiers of the neighbouring properties by reason of noise, nuisance and general disturbance, which cannot be adequately controlled through planning conditions, contrary to Local Plan Policy SD8 and paragraphs 127 and 180 of the NPPF.

**P 20/2819/FUL**  
**5/21 Land East Of 232 Cotswold Crescent Billingham TS23 2QN**  
**Erection of 10 dwellings**

Consideration was given to planning application 20/2819/FUL  
Land East Of 232 Cotswold Crescent Billingham TS23 2QN  
Erection of 10 dwellings

The application site related to an area of previously developed land which had access from a cul-de-sac on Cotswold Crescent to the north. To the east was Brendon Crescent, to the south was the railway line, and to the west were allotments which were used by the Billingham Homing Society.

The application site previously contained garages and was sold by the Council

in 2019. The proposal was for the erection of ten two bedroom semi-detached bungalows. The existing access was proposed to be widened to 4.8m with footways proposed either side of the road. The application was originally applied for the erection of 8 bungalows and two semi-detached two storey dwellings.

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, and the development as proposed was considered to be contrary to general planning policies set out in the Development Plan and the National Planning Policy Framework. The layout and density of the proposed scheme was considered unacceptable for the reasons set out within the main report and was recommended for refusal.

The Planning Services Manager gave Members a verbal update from the Lead Local Flood Authority (LLFA) who were unable to support the application.

Objectors attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- There were 22 allotments on the proposed site and all allotment owners needed free uninterrupted access 365 days a year which they had had for the past 50 years. How would people access the site with their vehicles during construction of the site?
- There was reported asbestos on the waste land, how safe was this?
- The area was a flood risk area.
- There would be issues from parking congestion if the development was approved.

The Applicant attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- The Applicant and his wife were accredited landlords with many tenants renting properties for over 10 and 20 years.
- The redundant land was purchased after 10 years of negotiation. The abandoned site had been left for over 40 years, and the proposed development would enhance the local area and stop Anti-Social Behaviour and fly tipping.
- The proposal conformed to all policies and the Applicant had met all conditions of sale.

- The Applicant felt that bungalows were the best option to be considered as these were the most sympathetic homes for the elderly and disabled. Landscaping, wildlife and hedgerows had been fully and sympathetically considered.

- Gardens were to be between 140 to 150 metres The minimum garden size would be bigger than some of the new builds in College Gardens.

- Many residents supported the application with only one of the adjoining properties objecting to the proposal.

- Billingham Town Council had given full approval.

- The Applicant appreciated concerns in terms of allotment access.

The Applicants Agent was in attended the meeting and was given the opportunity to make representation.

- There were no longer any issues around drainage.

- The development provided an opportunity to develop bungalows for elderly and vulnerable in accordance with NPPF.

- The development would provide 35 dwellings per hectare which was well within the Councils sustainable guide which was between 30 and 50 homes per hectare.

- Garden sizes were considered manageable for future tenants.

- The proposal had been sensitively designed with all dwellings having 2 car parking spaces, approved access routes and 4 visitor car parks for those accessing allotments.

- Should the application be approved it would support a small local developer, create additional employment and impact positively on the local economy.

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

- Although there were benefits to be had from the proposed application, it was considered the site was overdeveloped, there were too many dwellings and parking bays could not be reduced as there were already existing issues regarding parking in the vicinity. Officers had contacted the Applicant to discuss reducing the scheme, however no change to the application had been made.

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

- There was much need for bungalows in the Borough, yet officers were recommending refusal.

- Access for allotment holders was not a planning consideration.

- Once the development was complete allotment owners would have access to their allotments 24 hours 7 days a week.
- Some Members did not understand how the number of bungalows per hectare was considered over development as it accorded with council policy.
- The Council should be encouraging brownfield developments; it should be possible to come to some compromise to tweak the scheme and recommend approval.
- The Applicant had been given an opportunity to reduce the scheme however the Applicant had not submitted a revised application.

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

- Officers considered the proposal to be overdevelopment due to the constraints of the site.
- Officers were looking to reduce dwellings at north end of the site and jiggle about in another area.
- Allotment access must be provided, as there was a covenant on the sale of land, although not a planning consideration it would be a civil one.

A motion was proposed that the application be deferred for further discussion to allow the Applicant the opportunity to revise his scheme, however the Applicant confirmed to the Committee that he would not reduce the number of dwellings.

A vote took place in respect of the Officers recommendation and the application was refused.

RESOLVED that planning application 20/2819/FUL be Refused for the following reasons;

Insufficient landscaping and overdevelopment of the site

1. In the opinion of the Local Planning Authority, by virtue of the layout and density of the proposals, the development would result in a dominance of build form and leave insufficient space for suitable private amenity space and effective landscaping, to the detriment of the visual amenity of the area and the amenity of future occupiers and neighbouring occupiers. It would therefore be contrary to guidance contained within the National Planning Policy Framework (paragraph 127 and 130) and local plan policy SD8. Insufficient information - Drairage

2. In the opinion of the Local Planning Authority insufficient information has been provided to satisfactorily demonstrate that surface water can be adequately stored and be maintained over the lifetime of the development within the site, to ensure that the risk of flooding within the area and to the railway is satisfactorily minimised, contrary to Local Plan Policies SD5 2(c) and ENV4 (1) and (4).



