

Planning Committee

A meeting of the Planning Committee was held on Wednesday, 22nd February 2006.

Present (Site Visits): Councillor Cains (Chairman); Councillors Mrs Beaumont, Brown Cherrett, Faulks, Leonard, Perry, Mrs Rigg and Rix.

Officers: G Archer, B Jackson, R Rust and Mrs M Whaler (DNS).

Apologies for absence were submitted on behalf of Councillors Coombs, Kirton, Patterson, Smith, Stoker, Walmsley and Womphrey.

Present: (Meeting): Councillor Cains (Chairman); Councillors Mrs Beaumont, Brown, Cherrett, Coombs, Faulks, Leonard, Perry, Mrs Rigg, Rix, Smith, Walmsley and Womphrey.

Officers: G Archer, F Farooqui, F Gray, B Jackson, Mrs C Llewellyn, D Lynch, Miss J O'Donnell, C O'Neill, Mrs J Salisbury, Miss H Smith and Mrs M Whaler (DNS); Miss J Butcher and Mrs T Harrison (LD).

Apologies for absence were submitted on behalf of Councillors Kirton, Patterson and Stoker.

Declarations of Interest

Councillors Cherrett and Rix declared a personal/non prejudicial interest in relation to Agenda Item 6 (05/3466/FUL) – Site bounded by Piper Knowle Road, Whessoe Walk, Wheatley Road, Whickham and High Newham Roads – Residential Development of Hardwick Green Village, comprising the erection of 581 No. new dwellings with a mixture of 2, 3 and 4 bedrooms between two and three storeys, associated car parking, landscaping works and provision of open space, construction of two new roundabouts and all associated highways engineering works, off site drainage system in Hardwick Dene and associated engineering works and the demolition of 168 existing dwellinghouses due to being members of the Ramblers Association.

Councillors Leonard and Brown declared personal/prejudicial interests in relation to Agenda Item 6 (05/3466/FUL) – Site bounded by Piper Knowle Road, Whessoe Walk, Wheatley Road, Whickham and High Newham Road – Residential development of Hardwick Garden Village, comprising the erection of 581 No. new dwellings with a mixture of 2, 3 and 4 bedrooms between two and three storeys, associated car parking, landscaping works and provision of open space, construction of two new roundabouts and all associated highways engineering works, off site drainage system in Hardwick Dene and associated engineering works and the demolition of 168 existing dwellinghouses due to living adjacent to the development area and having a relative who lived on one of the roads within the development area, respectively.

Councillor Coombs declared a personal/non prejudicial interest in relation to Agenda Item 6 (05/3466/FUL) – Site bounded by Piper Knowle Road, Whessoe Walk, Wheatley Road, Whickham and High Newham Roads – residential development of Hardwick Garden village, comprising the erection of 581 No. new dwellings with a mixture of 2, 3 and 4 bedrooms between two and three storeys, associated car parking, landscaping works and provision of open space, construction of two new roundabouts and all associated highways engineering works, off site drainage system in Hardwick Dene and associated engineering works and the demolition of 168 existing dwellinghouses due to being a Chair of the School Organisation Committee. Councillor Coombs also declared a personal/non prejudicial interest in relation to Agenda Item 11 – Core Strategy Issues and Options – Stockton-on-Tees Borough Local Development Framework due to being a member of Teesside Flying Club (Northern Aviation).

Councillor Walmsley declared a personal/prejudicial interest in relation to Agenda Item 5 (05/3429/FUL) – Bridge Road, Stockton-on-Tees – Student housing development and associated external works due to the fact that his wife was an employee of the applicant.

(Planning Application 05/1865/FUL), 57 Willow Bank Cottage, Forest Lane, Kirklevington – Two storey extension to rear, porch to the front and 1 No dormer window to the front.

A site visit took place prior to the meeting.

Members were reminded that the application had been deferred at the previous meeting in order that a site visit could take place, enabling members to fully assess the relationship between the application site and the neighbouring properties.

An application was submitted in April 2005 for a two-storey extension to the rear, conservatory to the rear, porch to the front and 1 No. dormer window to the front, which was refused in June 2005 due to the overbearing impact on the neighbouring properties.

The applicant had since resubmitted the application and further revised the scheme, which included a reduction in the length of the first floor extension and reduced the height to a one and a half storey development.

Planning permission was sought for the erection of a 3.5m (long) x 5.8m (wide) ground floor extension, 2.2m (long) x 5.8m (wide) first floor extension, and the installation of a dormer window to the front elevation.

Fourteen letters of objection had been received in relation to the proposed development. Concerns were raised in relation to the size, design and appearance of the extension, being out of character with the other properties in the area and being overbearing, loss of light, loss of privacy, loss of outlook, the size of the extension being out of proportion with the property and being contrary to the Council's householder extension guide (SPG No 2), which stated that a 3 metre extension was a reasonable compromise and the proposed extension added 5.7 metres to the existing dwelling and the existing rear extension was already contrary to the 45° rule.

Members were provided with a map, which showed the boundaries of the 45 and 60° rules outlined in the Council's SPG No. 2. Members advised that it was accepted that the first floor extension was contrary to the 45° rule, however the SPG was only a guidance and the extension was of a one and a half storey nature which lay approximately half way between 45 and 60° lines. The proposed development would also result in the lowering of the height of the existing flat roof extension and the ridge would be situated away from the neighbouring property. It was therefore considered that the proposal would not be significant and overbearing on the neighbouring property to justify a reason for refusal.

Some members observed that the site visit had been extremely useful as on paper they had not seen a problem with the application, however upon visiting the site and the neighbour's property it was observed that ground levels were not even therefore a neighbouring bungalow sat lower than the application site which would therefore greatly affect the view and light entering the neighbouring property should the extension be approved.

A move for refusal was put forward and was agreed by the Committee.

RESOLVED that Planning Application 05/1865/FUL be refused due to the proposed two storey rear extension, by virtue of its size and location would have an unacceptable overbearing effect on the neighbouring property, No. 55 Forest Lane, Kirklevington harming the existing residential amenity of these residents contrary to Policies GP1 and HO12 of the Adopted Stockton-on-Tees Local Plan.

(Planning Application 05/3466/FUL) Site bounded by Piper Knowle Road, Whessoe Road, Wheatley Road, Whickham and High Newham Road. Residential development of Hardwick Garden Village comprising of the erection of 581 No. new dwellings with a mixture of 2, 3 and 4 bedrooms between two and three storeys, associated car parking, landscaping works and provision of open space, construction of two new roundabouts and all associated highways engineering works, off site drainage system in Hardwick Dene and associated engineering works and the demolition of 168 existing dwellinghouses

Members were advised that planning permission was sought to redevelop a partially cleared former housing site in Hardwick to provide 581 dwellings as part of the regeneration of the Hardwick Estate, Stockton. A programme of demolition of existing properties had started and it was intended that eventually approximately 615 dwellings would be cleared and replaced with approximately 800 dwellings of a mixed type and tenure. The overall figure included 40 Endeavour Housing Association properties and an Extra Care scheme, which was granted planning permission in 2005. A retirement area of approximately 50 units also featured in the regeneration initiative but did not form part of the application.

In 1999, the Council began demolishing properties within the central core of the estate due to low demand and poor condition. In 2004 a draft master plan for the estate was produced to assist the community consultation process and identified some initial key principles of development. The concept master plan included the outline area for demolition (a total of 615 dwellings) the relocation of Hardwick Primary School (the subject of a future planning application) to create a new gateway into the estate, new housing for sale and rent fully integrated and 'pepper-potted', a retirement village and attractive and safe open green space.

The community consultation revealed that over 70% of the local community supported the redevelopment plans and the redevelopment proposals were subsequently approved by the Council's Cabinet in November 2004. In turn a development brief was prepared and a consortium selected to deliver the redevelopment.

The applicants, Barratt Newcastle and Haslam Homes were working in partnership with the Council and other agencies to redevelop the Hardwick Estate and were part of an overall initiative to address housing market restructuring in the Stockton District and more generally in the Tees Valley sub region. The need for demolition related primarily to stock that was physically obsolete, structurally unsound or unviable due to repair costs. The new dwellings would in effect constitute replacement dwellings for the properties to be demolished.

The application accorded with the overall indicative master plan, which had been the subject of extensive neighbourhood consultation and would guide redevelopment. The proposal was considered to be in line with general planning policy set out in the Development Plan and Regional Housing Strategy as well as the sub regional Tees Valley Living initiative.

The Head of Engineering and Transportation had considered the 'Home Zone' arrangement in terms of how it functioned and highway safety implications as well as general parking provision and was generally satisfied with the proposal. Issues had been flagged up with regards to the proximity of some of the garages to the properties, which could lead to on street parking. It was considered that the situation would largely be addressed through minor changes to the layout and therefore delegated authority was sought to approve the scheme subject to satisfactory arrangements being put in place.

A member queried whether the width of the roads were in line with the Highway and Transportation policy as it was observed by the agent that the car would be a secondary form of transport and therefore there would be many cars parked on the road.

The Highways and Transportation officer advised that there were some variations to their policy, however the road widths were acceptable. Members were advised that some lanes in the plans would be single lanes but this was considered acceptable, as it would be a traffic calming measure.

RESOLVED that Planning Application 05/3466/FUL be delegated to the Head of Planning for approval with conditions, subject to the receipt of appropriated amended plans:

1. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.

Drawing Number(s):- SBC1 – 22; HH02/SGD/01G;QD85 – 01-01 REVA;QD85 – 01-02 REVA; QD85-01-03 REVA;QD85 – 04-01 REVC; QD85 – 20 – 01.

2. Details of all external finishing materials including roads and footpaths (Home Zones) shall be agreed with the Local Planning Authority before the development is commenced.
3. Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the cartilage without the written approval of the Local Planning Authority.
4. All means of enclosure and street furniture associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure and street furniture as agreed shall be erected before the development hereby approved is occupied.
5. The redevelopment of the playing fields at Hardwick Primary School shall not commence until they have been replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements to the satisfaction of the Local Planning Authority.
6. No construction/building works shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 8.00am and 1.00pm on Saturdays. No Sunday working.
7. Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.
8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.
10. The one hundred units of affordable housing to be agreed by the Local Planning Authority shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall indicate the timetable for construction and occupation and shall be provided as part of the overall development hereby approved.
11. A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.
12. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
13. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
14. Notwithstanding any description of the materials in the application no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been approved in writing by the Local Planning Authority.
15. A detailed method statement, management plan and landscaping scheme for the balancing ponds/spillway and associated hard and soft landscaping to Hardwick Dene, shall be submitted to and approved by the Local Planning Authority prior to its implementation. The method statement shall be developed in conjunction with Stockton Borough Council and Tees Valley Wildlife Trust and detail the method of construction of the ponds; include full planting plans; ground levels and mounding and maintenance specification.
16. No development approved by this permission shall be commenced until:-
 - (a) A desk study report providing information on the previous land uses and an evaluation as to whether ground contamination (i.e. landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted and approved by the Local Planning Authority (LPA).
 - (b) If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated (as defined in Section 57 of the Environmental Protection Act 1990 with respect to the proposed use), a site investigation including a risk assessment

report shall be submitted to and approved by the Local Planning Authority.

- (c) Full details of the proposals for the removal, containment or treatment of any contamination (the 'reclamation statement') shall be submitted to and approved by the Local Planning Authority.
 - (d) If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the Local Planning Authority.
 - (e) On completion of the remediation scheme a validation report shall be submitted to and approved by the Local Planning Authority.
 - (f) All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.
17. Notwithstanding the submitted plans and details, before the dwellings are occupied a scheme for the detailed design of the home zone traffic calming squares shall be constructed in accordance with the approved plans. The details of the scheme shall provide for measures to discourage the inappropriate parking of motor vehicles.
18. Prior to development commencing a study shall be commissioned and submitted for approval to determine the following: surveys of existing buildings for the presence of bat roosts, so that potential disturbance impacts can be assessed. Mitigation and enhancement measures contained within the submitted report will be implemented to the satisfaction of the Local Planning Authority.
19. The development hereby approved shall not be occupied until the balancing ponds/spillway to Hardwick Dene has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained thereafter to the satisfaction of the Local Planning Authority

(Councillors Cherrett, Rix and Coombs declared personal/non prejudicial interest in relation to the above item due to being members of the Ramblers Association and Chair of the School Organisation Committee, respectively. Councillors Leonard and Brown declared personal/prejudicial interests in the above item due to living adjacent to the development area and having a relative who lived in the development area respectively, and therefore left the room for the duration of the item)

(Planning Application 05/3457/FUL), Tesco Stores, Myton Road, Ingleby Barwick – Extension to existing food store and associated car parking

Members were advised that the item had been withdrawn.

(Planning Application 05/0946/FUL), Millbank Lane, Thornaby, Stockton-on-Tees – Residential development comprising 128 No. 4 storey 1 and 2 bedroomed apartments, 194 No. 2, 2½ and 3 storey dwelling houses and 4 No first floor flats, together with associated means of access and landscaping

Members were advised of the detailed application, which proposed residential development on the former industrial land immediately west of the existing fire station. The application proposed the residential development of the 5.13 hectare site comprising 128 No 4 storey 1 and 2 bedroomed apartments, 194 No. 2, 2½ and 3 storey dwellinghouses and 4 No first floor flats.

The site was located close to the Thornaby Centre and immediately north of the existing open space on the southern side of Master Road, in a location considered appropriate for the density proposed.

The application had been the subject of extensive consultation and a range of comments had been received. The major objections raised related to vehicular access from Millbank Lane and the impact of the development on the existing residential property on the northern side of Millbank Lane and the wider area in general.

Members were advised that consultations had been undertaken in respect of late amendments that had been submitted to resolve highway and landscape matters. A noise assessment report submitted in support of the application was also under consideration by the Environmental Health Department.

Three additional letters of objection were received and one letter of support as a result of the further consultation which stated concerns regarding density and highway safety, however the former Thornaby Airfield Site was in principle considered acceptable for redevelopment for housing purposes and fully complied with the authority's current housing design standard.

Objectors addressed the Committee and advised that when the area had originally been developed the residents had been assured that there would be no traffic access to the south on Millbank Lane, however the new application would have an access to the south from Millbank Lane. Traffic was already bad with people not being able to get out of Thorntree in its current situation therefore the new development would only worsen the situation.

The objector advised that the applicant had tried to address many of the residents' concerns, however Members were requested to impose a condition that would require the applicant to improve parks and other amenities in the area.

The Highways and Transportation Officer advised that they had looked closely at the transport report provided by the applicant and observed that they had worked closely with the agent and were happy with the proposed plan. Members discussed the application and it was observed that the existing industrial site would be removed to make way for the new development and would therefore do away with a great deal of traffic generated by the industrial site, however it was acknowledged that there would always be traffic impact.

A query was put forward to Highways and Transportation enquiring whether the Millbank Road access could be closed without impacting on the development and traffic and was advised by the Highways and Transportation Officer that it would impact and on health and safety, two access routes were required one of which would be Millbank Lane, however, Members were advised that Millbank Lane would be given traffic calming measures.

Members discussed the £15,000 that would be contributed to public transport and observed that it would only be beneficial if Arriva were willing to do their part.

RESOLVED that Planning Application 05/0946/FUL be approved subject to the completion of the Section 106 Agreement in accordance with the Heads of Terms and the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority:

Drawings:- SBC01, 2, Site Layout dated 22.12.05, all house details received on 3.1.06, apartment details 143-A001 & 2, House type A, 'Grassmere' house type received 22.12.05, 35251.003, fencing/walling details and Design Statement, Traffic Assessment.

2. A detailed scheme for landscaping and tree or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and

surface of all open space areas. The work shall be implemented in accordance with a phased programme to be agreed with the Local Planning Authority before the development authorised by this permission is commenced and any trees or plants which within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

3. Soft landscape works shall including planting plans and written specifications (including cultivation and other operations associated with plant and grass establishments); schedules of plants, noting species, plant sizes and proposed numbers/densities.
4. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.
5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
6. No development shall be commenced until a scheme for the disposal of drainage has been submitted to and approved in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved scheme has been fully implemented. The scheme shall be retained throughout the life of the development unless otherwise agreed in writing by the Local Planning Authority.
7. New discharges of foul and surface water must be on separate systems. Surface water flows must be prevented from entering the public foul or combined sewer. Surface water flows should, where possible, be discharged to soakaways, streams or watercourses. Connection to the public surface water sewer should be made as an alternative.
8. Full details of new connections to the public sewerage system must be submitted to Northumbrian Water for approval. Northumbrian Water must carry out connections and any other work affecting public sewers.
9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.
10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme showing existing ground levels, finished ground levels, finished floor levels for dwelling houses and road levels. Thereafter the development shall be completed in accordance with the approved details.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no vehicular access shall be created other than those hereby approved, without the prior written consent of the Local Planning Authority.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) no integral garages shall be converted into part of the house without the prior written consent of the Local Planning Authority.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order) all boundary means of enclosure shall be in accordance with the details hereby approved. Any future proposals to amend these details shall be made the subject of a formal planning application to the Local Planning Authority.
14. Development works on site shall not occur outside the hours of 8.00am – 6.00pm weekdays and 8.00am and 1.00pm on a Saturday and there shall be no works carried out on Sundays.
15. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recordings and analysis in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.
16. A scheme of acoustic insulation measures shall be submitted to and approved in writing and thereafter implemented to protect future residents from noise generated by existing nearby industrial concerns.
17. No development approved by this permission shall be commenced until:
 - A desk top study providing information on the previous land uses and an evaluation as to whether ground contamination (i.e. landfill gas, leachate, ground/surface water pollution) is likely to be present shall be submitted and approved by the Local Planning Authority.
 - If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated (as defined in Section 57 of the Environmental Protection Act 1990 with respect to the proposed use), a site investigation including a risk assessment report shall be submitted to and approved by the Local Planning Authority.
 - Full details of the proposals for the removal, containment or treatment of any contamination (the 'reclamation statement') shall be submitted to and approved by the Local Planning Authority.
 - If during any construction or reclamation works, any contamination is identified that was not considered in the reclamation statement the reclamation proposals for this material shall be agreed with the Local Planning Authority.
 - On completion of the remediation scheme a validation report shall be submitted to and approved by the Local Planning Authority.
 - All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.
18. C084/R001 Materials
19. Notwithstanding the engineering details submitted no development shall take place until there has been submitted to and approved in writing a detailed scheme showing:
 - Traffic calming measures, materials and construction including vertical and horizontal alignment of highway works in accordance with Design Guide and Specification,
 - Roads, footpaths and access ways.
 - Existing ground levels, finished floor levels for dwellings and road levels,
 - Provision of secure cycle parking in accordance with standards,

- All private drives to comply with standards, and
- Adequate lighting to private parking/garage courts and footpaths

Heads of Terms

The Heads of Terms:

- A contribution of £120,000.00 in total to public open space, an adoptable footpath link from Master Road via the public open space to the pelican crossing on Trenchard Avenue and public transport improvements, and
- A contribution of £15,000.00 to provide public transport improvements.

(Planning Application 05/3316/FUL), 373 Thornaby Road, Thornaby – Extensions and alterations to form 2 No shop units on ground floor, first floor shop unit and change of use from first floor office to flat

Members were advised that the application site was a large building situated on the corner of Thornaby Road and Laburnum Avenue currently used as a fitness salon and hairdressers with offices above.

Planning permission was sought for the erection of a 6m x 5.3m single storey extension to the rear and a 2.5m x 16.8m single storey extension across the front of the premises. It was proposed that this would allow for internal alterations to create 2 No retail units at ground floor with a hair salon, office for unit 1 and a flat at first floor.

Eight letters of objection and one petition had been received in relation to the proposed development since its submission, the concerns were detailed within the report and had been addressed in the material planning considerations of the report.

It was considered that the creation of additional retail floor space outside of the defined centre was, in this particular case acceptable. The proposed development was judged to be visually acceptable and would not harm residential amenity or cause any significant issues of highway safety.

The agent addressed the Committee and advised that there had been many uses for the building over the years and their scheme was based on a number of consultations, which had resulted in a number of changes to bring it to the application that was now put before Planning.

An objector addressed the Committee and advised that there was a significant amount of anti social behaviour in the area and had concerns for the wellbeing of the two existing shops in close proximity and questioned the sustainability for all three shops should the application be approved, however, if the application was approved the objector requested that Members limit the opening hours ~~to~~ of 9.00 to 5.00 and ensure that the site was not used as a fast food place as this would threaten the livelihood of the chip shop in close proximity.

Members discussed the length of opening hours and were advised that the proposed opening hours had been based on the result of a recent successful appeal. Members also discussed the fact that planning law could not be used to solve such problems as anti social behaviour.

A Member queried the success of an upstairs retail unit such a hairdressers as there were concerns that people would not or could not climb the stairs to make use of the facility.

Concerns were due to the fact that the Committee did not know what shops would occupy the premises, however they were advised that the application was for A1 use and did not need to specify what the shop would be however members were advised of the type of businesses that could be run from the unit under A1 use.

RESOLVED that Planning Application 05/3316/FUL be refused as:-

In the opinion of the Local Planning Authority the proposed development for unspecified A1 uses is considered unacceptable having regard to the potential to generate anti social behaviour in an area experiencing severe problems of anti social behaviour.

(Planning Application 05/3447/REV), Thorntree Farm, Bassleton Lane, Thornaby – Retrospective application for change of use from residential dwelling to B1 office and associated car parking

A site visit took place prior to the meeting.

Members were advised that a previous retrospective application for a change of use at the property had originally been submitted and refused in August 2005. The applicants had since employed a planning consultant to deal with the retrospective change of use and the current application had been submitted.

The application site was located at the bottom of Bassleton Lane, Thornaby. The site lay within a predominantly residential area, although the site lay within an area of green wedge separating the residential areas of Thornaby and Ingleby Barwick.

Planning consent was again sought retrospectively for a change of use from residential (C3) to office (B1). The application differed only in that the planning consultants had submitted a planning statement in support of the application and suggested that in order to try and overcome the local authority's concerns that a temporary consent for two years was granted.

It was appreciated that the applicants had attempted to overcome the Local Planning Authority's concerns by proposing a temporary consent be granted for the development. However, it was considered that there had been no material change in circumstances in the operations or nature of the business to overcome the Local Planning Authority's concerns or the previous reason for refusal.

Members were advised that two letters of support had been received in relation to the proposed development and no objections had been raised as the applicant had assured residents that they intended to install a CCTV system, which would be beneficial to the surrounding residents in reducing the regular disturbances currently experienced in the locality.

Whilst the neighbouring properties had no objection to the proposed development, it was considered that the potential benefits of the CCTV system did not significantly outweigh the potential impact on the proposed development.

Serious concerns were raised over the ability to control commercial activity within the site and that after the initial two year period it would also be possible to seek renewal of consent, which would be hard to refuse if it could be demonstrated that there had been no significant material change in circumstance, since original approval.

In the opinion of the Local Planning Authority the applicant/agent had failed to demonstrate any material change in circumstance in the operations or nature of the business, which addressed and overcame the Local Planning Authority's concerns or the previous reason for refusal. The proposed development was therefore still considered to be out of character with the residential area and the levels of use associated with the office would be likely to cause police activity and noise in the area, to the detriment of the residential amenity.

Despite the additional letter of support received it was considered that the application was contrary to Policy GP1 and IN9 of the Adopted Stockton-on-Tees Local Plan.

The agent addressed the Committee and advised that the business was already in operation and had very little impact on the residents, which was evident in the lack of objections raised. There would be little traffic impact due to marked improvements of technology.

The agent advised that the report had stated there had been no changes to the application, however there had been a number of changes and improvements and therefore requested that Members overturned the officers' decision to refuse.

Members observed that none of the residents had any objections to the business and were therefore minded to approve the application, however they had queries regarding what would happen in two years when the temporary consent expired and were advised that whoever was occupying the business whether it was the existing applicant or a new one would have to apply again.

RESOLVED that Planning Application 05/3447/REV be approved subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.
Drawing Number(s) :- SBC001 and TH/72309/L01
2. The use hereby permitted shall cease, and the land revert to its former authorised use, two years from the date hereof, unless the prior written consent of the Local Planning Authority has been obtained to an extension of the period of validity.
3. The use hereby permitted shall be carried on only by Mr and Mrs Howson and on the cessation of such use by the applicant a further grant of planning permission will be required from the Local Planning Authority.

(Planning Application 05/3429/FUL), Bridge Road, Stockton-on-Tees – Student Housing Development and associated external works

A site visit took place prior to the meeting.

Members were advised that planning permission was sought to redevelop the former SCS Furniture Store site with a block of student accommodation comprising of total of 344 bedrooms in groups of six and eight in a building ranging from eight to ten storeys in height with amenity space, parking and associated works. The application was a resubmission of an earlier application, which was withdrawn in the light of strong concerns being raised about the lack of supporting information on the impact of the proposal on the surrounding area.

The site occupied an important riverside location and formed part of a larger site known as Boathouse Lane. Given the important riverside gateway location, the Council had prepared a draft planning and design brief to guide future development on the site and surrounding area. Although the brief was subject to public consultation and not formally adopted at the time, it did provide a useful, relevant document, which set out the Council's aspirations for the area. Importantly the brief sought to deliver a high quality and commercially successful mixed use development for the area through an established master plan and agreed design principles.

The design solution proposed for the site had attracted strong expressions of concern from a number of key consultees in that it was considered inappropriate in its context and failed to take the opportunities available for securing significant changes to the character and quality of the area and would set a poor precedent for future development and thereby prejudicing the proper planning and comprehensive redevelopment of the area.

Within the statutory time frame for considering the application, it was considered that it was not possible to address the significant planning and design issues raised by the key consultees.

The agent addressed the Committee and advised that they were generally supportive of the officers conclusions and it seemed that the design was the officers only concern, however they observed that they had submitted plans and had not received any adverse comments back prior to the application coming to the Committee.

The agent requested that the item be deferred but observed that the Council were rushing the item through to reach their deadline.

The agent advised that the Planning Department had advised that the site fell within the Conservation Area, however this was not the case.

The agent advised that they had endeavoured to provide an iconic development and would open up the riverside walk.

Members discussed the item and were of the opinion that the design would be an eyesore and would not be an iconic building. Concerns were also raised regarding parking and traffic impact.

A Member requested whether the application could be included in the master plan, however, they were advised that if the application was refused further to a desire or wish to include it in the master plan and the applicant appealed the result of the appeal would go against the Council as there was currently no master plan in place.

Members were advised that it was the intention of the Planning Department to get the design right for whichever application would be approved on that site as it would set a precedent for the remaining area.

RESOLVED that Planning Application 05/3429/FUL be refused for the following reasons:

1. In the opinion of the Local Planning Authority the proposed redevelopment of this site in isolation would constitute piecemeal development and thereby prejudice the achievement of the future comprehensive redevelopment of the surrounding area and regeneration of the local economy delivered through a high quality and commercially successful mixed use development for the area through an established master plan and agreed design principles.
2. In the opinion of the Local Planning Authority the proposal detracts from the architectural character and setting of nearby Listed Buildings and the character and appearance of the Stockton Conservation Area by reason of its design, general bulk and massing thereby resulting in an incongruous pattern of development detrimental to the amenities of the area.

(Councillor Walmsley declared a personal/prejudicial interest in relation to the above item due to his wife being an employee of the applicant and therefore left the room for the duration of the item)

Statement of Community Involvement – Local Development Framework

Members were advised that the item dealt with the report of the Inspector following the independent examination of the Statement of Community Involvement (SCI). Members were advised that the Inspector's report had not been received as yet and therefore requested that Members agreed only recommendations 2.2 so as not to miss the deadline and therefore lose out on the Planning delivery grant.

A member of the public addressed the Committee as a spokesman on behalf of Eaglescliffe Preservation Action Group (EPAG) and advised that there was already community involvement in the form of EPAG and Yarm Action Group. There were 230 people in attendance at their recent meeting.

Members were advised that EPAG and Yarm Action Group wished to be considered as input groups rather than objector groups. EPAG and Yarm Action Group therefore offered themselves as a formal resource who could draft up reports for the Planning Officers.

The Chair addressed the Committee and thanked the EPAG representative for their offer.

A Member queried what would happen if the Inspector's report had not arrived in time for Cabinet and was surprised that the deadline would be missed.

RECOMMENDED that as the Inspector's report on the Statement of Community Involvement (SCI) has not been received, delegated authority is given to the Head of Planning to amend the SCI to incorporate any requirements of the Inspector and to make any other necessary amendments of a minor nature.

Core Strategy Issues and Options – Stockton-on-Tees Borough Local Development Framework

Members were advised that report related to the consultation stage in the preparation of an issue and option paper for the Core Strategy of the Local Development Framework.

The Local Development Framework, which replaced the "old" system of local plans, put great emphasis on achieving more effective community involvement. The key to the success of the new system was the early identification of all issues in the preparation of a development plan document. It was essential that anyone who had an interest in the planning of an area actively sought to assist the Local Planning Authority to shape the future of that area from the earliest stage. Local Planning Authorities would front load the preparation of development plan documents by facilitating early involvement and securing inputs from the community and all stakeholders. The preparation process would include consideration of all the alternative options derived from the development of the evidence base, the authority's awareness of local issues, the views of key stakeholders and community involvement.

In the agreed Local Development Scheme, which set out the timetable for the production of development plan developments, the first to be prepared was the Core Strategy. The Core Strategy was a strategic document, which would set out the vision and spatial strategy for meeting the known and anticipated development requirements to 2021. It would include a key diagram, which would show broad locations (not specific sites) to meet specific requirements and would include a suite of generic criteria based development control policies.

The Core Strategy issued an option paper was a working draft although it was largely complete and was unlikely to change significantly; some amendments could be required in response to comments from internal consultees.

It was anticipated that the consultation exercise would be carried out over six weeks in May and June 2006.

The EPAG spokes person addressed the Committee and advised that they were of the opinion that the timescale was too long and requested that it be shortened as part of the recommendation on the report.

RECOMMENDED that Members note and endorse the draft Issues and Options Paper for the Core Strategy so that it may be forwarded on to Cabinet and Council for formal approval prior to public consultation.

Open Space Audit

Members were provided with a report, which invited the Planning Committee to note the Borough-wide Open Space Audit prior to its publication for public consultation. The Open Space Audit findings would inform future documents, local planning policy and strategies including inter alia the creation of minimum open space standards for use in planning.

PPG17 "Sport and Recreation" set out Government policy on the subject of open space. In promoting Sport and Recreation in the widest sense, it required an audit of existing open space provision to be undertaken having regard for its value as playing space as well as wider visual and recreation amenity. A companion guide for PPG17 set out the framework for undertaking the Audit.

Following a pilot Audit in Billingham in 2003, a comprehensive survey was undertaken of all open spaces identified in a desktop study and subsequent site visits. Thanks went out to all the members of staff across the departments who donated a lot of time and energy to assist in the survey.

The survey work had been completed and the findings analysed to produce an interim summary of findings for public consultation.

The summary of findings would be made available for the public to comment upon and if necessary propose additional sites for inclusion in the survey. It was anticipated that this would be in May and June (following Full Council) for a period of six weeks.

Public consultation would help determine the needs and aspirations of local communities with regard to open space requirements and highlight whether existing open spaces provision in terms of size, location and typology were appropriately fulfilling their needs.

Once the local space standards were developed they would be used as baseline data to inform the Council of open space requirements and the needs of local communities when developing local space strategies and assessing planning applications.

RECOMMENDED that Members note the report so that it could be forwarded to Cabinet and Full Council for final approval prior to public consultation.

Items for Information

1. Appeal by Mr Ayre – Site: 16 Grange Avenue, Billingham (05/2439/FUL) – Withdrawn.
2. Appeal by Mr Blackham, Site: 46 Redwing Lane, Norton, Stockton-on-Tees (05/0964/FUL) – Dismissed.
3. Appeal by Hutchinson 3G, Site: Yarm Sports and Social Club, Leven Road, Rosehill (05/0208/TEL) – Allowed.