

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

14 JANUARY 2016

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET/COUNCIL DECISION

Regeneration and Transport – Lead Cabinet Member – Cllr Cooke

YARM BACK LANE AND HARROWGATE LANE MASTERPLAN

1. Summary

The report advises Cabinet on joint working to prepare a masterplan for a strategic sustainable urban extension at West Stockton and seeks approval of a masterplan for use in the determination of planning applications at the site and as an evidence base in support of the emerging Regeneration and Environment Local Plan (RELP).

2. Recommendations

It is recommended that:

1. Cabinet recommends to full Council the approval of the Yarm Back Lane and Harrowgate Lane Masterplan for use in the determination of planning applications and as an evidence base in support of the emerging RELP.

3. Reasons for the Recommendations/Decision(s)

To ensure the masterplan can be used as a material consideration in the determination of planning applications and to support allocation of the sites within the RELP.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or

- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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SUMMARY

The report advises Cabinet on joint working to prepare a masterplan for a strategic sustainable urban extension at West Stockton and seeks approval of a masterplan for use in the determination of planning applications at the site and as an evidence base in support of the emerging Regeneration and Environment Local Plan (RELP).

RECOMMENDATIONS

It is recommended that:

1. Cabinet recommends to full Council the approval of the Yarm Back Lane and Harrowgate Lane Masterplan for use in the determination of planning applications and as an evidence base in support of the emerging RELP.

DETAIL

1. The Council has identified land at Yarm Back Lane and Harrowgate Lane as housing allocations within the RELP. The RELP is currently at publication stage and emerging policies (H17, H18 and H19) highlight the need for development to be delivered in accordance with a masterplan to ensure that a sustainable urban extension of 2,150 dwellings, including associated infrastructure, is successfully delivered.
2. The scale of the development means that there are numerous shared infrastructure requirements which need to be delivered; this includes but is not limited to a primary school and highway junction improvements. In addition to this there are numerous landownerships across the site. A masterplan is seen as essential in ensuring that:
 - individual planning applications come forward in accordance with the masterplan to deliver a sustainable and integrated urban extension; and
 - infrastructure is delivered when it is required
3. The purpose of this masterplan is to provide a robust and comprehensive evidence base to support the allocation of the sites and to guide individual planning applications. .

4. The Council have been working in collaboration with the Advisory Team for Large Applications (ATLAS), landowners and developers and agents to prepare a comprehensive masterplan for the sites.
5. Planning Committee has refused a planning application on part of the site, known as Tithebarn Land (planning application reference (14/2291/EIS). This decision is being appealed by the applicant and is currently progressing towards a public inquiry. The reasons for refusal were as follows:
 - Development does not represent sustainable development:
In the opinion of the Local Planning Authority the proposal in coming forward ahead of an established masterplan, could lead to an unfair distribution of uses and another developer coming forward later being asked to provide more than is justified by their own development. This could make some parcels unviable and risk necessary infrastructure not being provided for the proper planning of the area, resulting in significant social and economic harm which would be contrary to the definition and aims of sustainable development as set out in the NPPF (paragraph 7, 9 and 14).
 - Highway Safety:
The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on highway safety and the free flow of traffic to both the Local and Strategic Highway Networks or that the impact could be satisfactorily mitigated to the reasonable satisfaction of the Local Planning Authority and is therefore contrary to guidance within policy CS2 of the Core Strategy (1&2) and paragraph 32 of the National Planning Policy Framework (NPPF).
6. The first reason for refusal highlights concern with development preceding in advance of a masterplan and the implications this could have for the wider site.
7. The planning application, which is subject to public inquiry sought permission for 340 dwellings whilst the masterplan only distributes 250 dwellings to this element of the site. The appellant is not in agreement with the distribution of dwellings identified within the masterplan. As all elements of the collaborative masterplan could not be agreed the Council have sought to progress a separate masterplan albeit the contents of this masterplan maintains the main elements of the collaborative process undertaken.
8. The masterplan, which is attached at **Appendix 1**, seeks to:
 - Outline the vision and development objectives for the site;
 - Identify constraints and their impact on development;
 - Identify infrastructure requirements;
 - Provide a Strategic Framework Plan to shape development proposals;
 - Provide clarity regarding the requirements for planning applications; and
 - Provide clarity regarding the phasing and delivery of housing and infrastructure
9. Following allocation of the sites within the RELP the masterplan could be adopted as a Supplementary Planning Document (SPD). Should the Council decide to take the masterplan forward as an SPD so that it forms part of the Development Plan there would be a requirement for a statutory period of consultation and potentially a Strategic Environmental Assessment (SEA).

10. The emerging RELP is supported by an Infrastructure Strategy and Schedule which provides a strategic level assessment of the infrastructure requirements arising from the RELP as a whole. Building upon this strategic assessment, a detailed Infrastructure Delivery Plan (IDP) has been produced as part of the masterplan to co-ordinate the delivery of the infrastructure which is necessary to support residential development on the Yarm Back Lane and Harrowgate Lane sites.
11. The IDP draws upon the evidence base prepared to support the preparation of the masterplan and sets out what infrastructure is needed and the anticipated timescales/phase of development when this should be provided. The key infrastructure requirements identified in the IDP include the provision of:
 - Junction enhancements;
 - Other access and transport infrastructure;
 - Community hub (incorporating a primary school, community centre and neighbourhood centre);
 - Green infrastructure;
 - Surface water drainage infrastructure;
 - Affordable housing;
 - Utilities related infrastructure.
12. The Council have been working with landowners and developers to agree an approach to contributions and the delivery of infrastructure which is both equitable and CIL compliant. At the present time no agreement has been reached. The masterplan identifies that until agreement has been reached, to the satisfaction of the Council, it will not be possible to determine planning applications at the site. The Council will continue to liaise with landowners and developers to reach agreement.

FINANCIAL IMPLICATIONS

13. There are no specific financial implications related to the masterplan. The delivery of infrastructure associated with the site will be resolved as planning applications proceed; it is noted that junction enhancements are proposed to be delivered via a combination of Local Growth Fund and Highways England/HGF.

LEGAL IMPLICATIONS

14. There are no legal implications at this stage

RISK ASSESSMENT

15. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

16. The masterplan has been produced to guide the delivery of a strategic sustainable urban extension to the west of Stockton. In this regard the document aims to deliver numerous themes identified within the Sustainable Community Strategy.

EQUALITIES IMPACT ASSESSMENT

17. This report seeks to deliver a policy identified within the Regeneration and Environment Local Plan which has been subject to an Equality Impact Assessment.

CONSULTATION INCLUDING WARD/COUNCILLORS

18. The Council has identified the Yarm Back Lane and Harrowgate Lane sites for residential development within all stages of preparation of the Regeneration and Environment Local Plan. Each stage in plan preparation has included a statutory consultation period which has invited comments upon the contents of policies and proposed allocations.

19. The masterplan document has been consulted upon with appropriate officers.

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Education related

The masterplan includes the provision of a primary school to be financed through the development of the site

Background Papers

Regeneration and Environment Local Plan

Ward(s) and Ward Councillors:

All

Property

N/A