

Planning Committee

A meeting of Planning Committee was held on Wednesday, 15th March, 2006.

Present: Cllr Cains (Chairman) Cllr Mrs J Beaumont, Cllr D T Brown, Cllr M Cherrett, Cllr K Faulks, Cllr P Kirton, Cllr K Leonard, Cllr R Patterson, Cllr M Perry, Cllr Mrs M Rigg, Cllr R Rix, Cllr M Smith, Cllr M E Womphrey

Officers: (Site Visit) B Jackson and Mrs M Whaler (DNS)

(Meeting) F Farooqui, B Jackson, Mrs C Llewlyn, R Rust, Miss H Smith, P Whaley and David Gibson (DNS); Miss J Butcher, Mrs T Harrison, N Hart and Miss S Johnson (LD)

Also in attendance:

Apologies: (Site Visit) Apologies for absence were submitted on behalf of Councillors Brown, Coombs, Kirton, Patterson, Mrs Rigg, Smith, Stoker, Walmsley and Womphrey.

(Meeting) Apologies for absence were submitted on behalf of Cllr C Coombs, Cllr M Stoker, Cllr S F Walmsley,

1151 Declarations of Interest

Councillor Cains declared a personal/non prejudicial interest in relation to Agenda Item No. 8 - (05/0026/EIS) – Pipe Mill, Portrack Lane, Stockton, Outline application for mixed use development comprising residential (C3) and commercial business (B1) with associated access, car parking and landscaping, due to being a member of the Cleveland Industrial Archaeology Society.

1152 Minutes of the meetings held on 11th January & 1st February 2006

The minutes of the meeting held on 11th January and 1st February 2006.

RESOLVED that the minutes were agreed as a true record and signed by the Chair.

1153 Planning Application 05/2969/FUL Summerhill, High Lane, Maltby, Stockton- Extensions and alterations to dwelling house including garage and sun room to side/front, conversion of existing garage into habitable room, extension to front and raising height of roof to accommodate dormer windows and rooms in the roof.

A site visit took place prior to the meeting.

Members were advised that the application site was a detached bungalow and extended garden area at Summerhill, High Lane, Maltby, which was located within a street scene of mixed and varied house types.

The application was a revised scheme to a previously refused application (05/1275/REV). The initial application was refused for two reasons which were (i) the roof height had an overbearing impact on neighbouring properties and (ii) the detached double garage to the front was an incongruous element in the street scene.

In total 29 letters of objection from neighbouring residents, two letters of

objection from Ward Councillors and one letter from Maltby Parish Council were received by the department regarding the application.

It was considered that the revised application had addressed the first reason for refusal but had not overcome the second reason for refusal on the earlier application.

An updated report was provided which advised Members of a correction within the recommendation for refusal and that amended plans had been received from the agent with regard to the removal of the garage to the front of the property.

The agent addressed the Committee and advised that negotiations had begun with Stockton Borough Council in 2004 regarding the application site and advised that they were unhappy that they had not been informed at the beginning that the garage would not be acceptable.

The agent expressed his concern at the conflicting information between the Planning Officer and the Conservation Officer regarding to whether or not the site fell within a Conservation Area.

The applicant addressed the Committee and advised that they loved the village therefore they had bought a property there, however they now needed extra bedrooms to enable them to stay but were very disappointed as they felt they had been victimised by local residents.

Objectors addressed the Committee advising that the area in question was predominantly bungalows, there were no window gables or dormers, it went against planning policy, they were never consulted, it was not a sustainable development, it was an over development, the proposed application was larger than the chapel in the vicinity. The application would dwarf resident's bungalows and would be too close, the non opening opaque windows for a bedroom seemed highly inappropriate; there were inconsistencies in the report as contrary to the report, the applicant had not lived in the property since December. The report also advised that the officer did not know whether there had been previous extensions, an objector provided plans showing that the property had been extended.

Members were in agreement that the – development would be too overbearing and too close to other properties and would be out of character with the area. Members requested that additional reasons for refusal be included in the resolution related to overdevelopment of the site, impact of the amenity of adjacent residents and the fact that the application was out of character in an area predominantly consisting of bungalows.

RESOLVED that Planning Application 05/2969/FUL be refused for the following reasons:-

In the opinion of the Local Planning Authority, the proposed garage to the front would form an incongruous element of the street scene and is contrary to advice given in Supplementary Guidance Note 2 and Policies GP1 and HO12 of the adopted Stockton-on-Tees Local Plan and that it would be an overdevelopment

of the site, there would be impact on the amenity of adjacent residents and it would be out of character in an area predominantly consisting of bungalows.

1154 06/0167/FUL - The Oval, Wynyard, Retrospective application for construction of footpath to cricket ground and temporary access road

A site visit took place prior to the meeting.

Members were informed that the application site was a designated Cricket Ground located at The Oval, Wynyard. It was situated centrally within a residential area of the Wynyard estate. The applicant was seeking retrospective planning permission for the construction of a footpath to an existing footpath to the cricket ground and a temporary access road. The applicants were Bellway Homes (NE) Limited.

The application involved a continuation of an existing footpath, which ran in front of existing properties located at The Granary, The Stables and The Oval, Wynyard.

Prior to construction, the footpath was in a horseshoe design, which ended at No. 2 The Oval and No. 47 The Granary. The gap between the two properties was open field, separated by the boundary treatment of the Cricket Ground, which comprised of a 1.50m high metal post and a rail fence.

The current development had now linked the gap with one continuous footpath, around the full perimeter of the Cricket Ground.

The temporary access road was created to enable the works for the construction of the footpath to be carried out. On completion of the footpath, steps had been taken to reinstate the area in question, back to its original appearance.

An objector addressed the Committee advising that about five years ago the pathway should have been built, if it had they would have lost a lot of their garden as a result the path was not continued, however, the path had now been rerouted onto the cricket field contrary to Bellways previous advice that they would not build on the cricket field.

The objector expressed concern that no planning permission had been sought or consultation undertaken and confirmed that Grindon Parish Council had registered their concerns related to the work being carried out without planning permission.

Although a Member expressed disappointment that the developers had built without planning permission it was observed that residents had already used that part of the cricket field as a pathway only now they could walk on tarmac rather than grass.

RESOLVED that Planning Application 06/0167/FUL be approved subject to the condition that the development hereby approved shall accord with the following approved plan(s); unless otherwise agreed in writing with the Local Planning

Authority:

Drawing Number(s) SBC 0001

The decision to grant planning permission has been taken having regard to the policies and proposals in the Structure Plan and Stockton-on-Tees Local Plan set out below.

Stockton-on-Tees Local Plan policies GP1

1155 05/3453/FUL - Land north of Lawson Street, Stillington, Stockton, Residential development of 56 dwelling houses.

Members were advised that the application had been withdrawn.

1156 06/0017/OUT - Ashmore House, Richardson Road, Stockton, Outline application for residential development of up to 220 dwelling units.

Outline planning permission was sought for residential development of up to 220 dwelling units. Access, siting, design, external appearance and landscaping being reserved for a future submission.

The proposal was to redevelop the site owned by Aker Kvaerner, which was undertaking an extensive restructuring of its business. At the time the application came before Committee, a significant proportion of the site and premises were vacant or under-utilised and the business was seeking to relocate to another site within the Borough.

The application proposal was therefore to establish the principle of residential development of the whole site. However, in order to facilitate the relocation of the business, the intention was to retain an office on site whilst suitable bespoke premises were identified elsewhere. The application therefore included a proposal for the residential development of the site in two phases. It provided for the retention of the majority of the existing office buildings within the site in the short term until alternative premises were available for occupation.

Phase 1 of the development would include the selective demolition of the older office buildings and facilitate the creation of a temporary car park for the remaining office buildings, in order to replace the informal parking areas displaced by the residential development of Phase 1.

Phase 2 would comprise the clearance and residential development of all of the remaining office buildings, and would be progressed once alternative premises for Kvaerner were available for occupation.

The application was supported by a detailed design statement to set out the design principles to be adopted in formulating the reserved matters and included an indicative site layout. Also supporting the application was a Transport Assessment, Noise Impact Assessment, Planning Statement and Site Investigation Report.

The proposal was considered to be in line with general planning policies set out

in the Development Plan.

The Planning Officer advised that there had been some contention regarding the significantly lower percentage of affordable housing, which would be made available in the development. The normal figure would be 20%, however the figure agreed upon for the development would be 5%

The difficulty arose from the lack of a formal planning policy on affordable housing numbers. Current policy only specified that an element should be provided in developments over 2 hectares. Accordingly, the 20% figure was an aspiration and was currently negotiated for each individual application, which in relation to this case, was agreed at 5%.

The agent addressed the Committee and advised that they had worked closely with Planning, Education, Highways and Transportation and many other officers, which had been very constructive and they therefore believed the proposal to be a very positive one.

They had agreed to off site improvements and to provide bus stops with CCTV.

The agent advised that they would be undertaking a significant cost of over a million pounds to decontaminate the area this had resulted in the need to reduce the number of affordable housing although they felt that there was still a significant number that would be made available.

An objector addressed the Committee and advised that their reasons for objection related solely to the open plan area shown in the plans of the application as there was already a significant amount of anti social behaviour in the area and residents had significant concerns that the open plan site would invite the anti social people to that site and therefore requested Policing and monitoring of the area.

The Ward Councillor expressed a view that the development required two accesses, from Bowesfield Lane and Richardson Road to provide access to the Riverside roundabout and Parkfield.

The Ward Councillor advised that they welcomed the application, as it would help the development of Parkfield area; however he expressed disappointment at the 5% affordable housing figure as he considered it to be very low and was not happy with the reasons given by the applicant for the low figure.

The Ward Councillor advised that any area of green space has the potential to be used by those of an anti social persuasion, however, the development would be aimed at families and families would need open space.

The Chair enquired of the Planning Officer whether the affordable housing figure was set in stone and was advised that it was part of the planning conditions and therefore if Members wished to change it there was no legal requirement, however if the agent went to appeal there was a high probability that the applicant would win. The officer advised that negotiations with the applicant regarding the affordable housing may not be successful.

A Member advised that Richardson Road was currently used as a race track and therefore expressed concern regarding the access on to the road and

requested that traffic calming measures be introduced on to Richardson Road. A Member also observed that Gladston Road was currently a cul-de-sac but the plans indicated that it too would be an access road.

The agent advised that traffic calming had never been mentioned when they had been in discussions with officers but advised that the application was a principal application and questioned whether such matters were not better discussed at a later date of the application.

The Highways Officer addressed the Committee and advised that Richardson Road would be used as access on Phase 2 of the development and not Phase 1; however he did see the case for traffic calming on Richardson Road but advised that such a proposal would require consultation.

A Member requested that the agent reflect the history of the site as part of the final development and was advised by the agent that it was their intention to do so.

A Member queried the density and whether the application was using the latest parking standards. A member asked what the density would be and was advised that it would be 40 dw/hectare. The member also commented that they could not see where the parking would be, however it would be a reserved matter and would have to comply with Stockton-on-Tees Borough Council's parking standards.

Some Councillors raised the issue of education contribution - that more schools should be taken into consideration for the discount to the contribution for example, Hartburn Primary which was not within the catchment. A Planning Officer advised that the contribution calculations were complicated and in line with the Local Education Department's calculations were too onerous and complicated to include too many schools.

A Member had concern regarding the school catchments as it was possible that residents of the new development would request to place their children in already oversubscribed schools, however the Chair advised that it was not the time to discuss matters.

A Member queried whether it would automatically be secured by design but was advised by the Planning Officer that it would not be automatic but that it was the hope, however they would ensure that the design was of good quality.

RESOLVED that Planning Application 06/0017/OUT be approved subject to the applicant entering into a Section 106 agreement in accordance with the Heads of Terms below and the following conditions:-

Section 106 Agreement

Heads of Terms: School Places

The rate of contribution required from developers for school places would be £8,000 x 0.26 = £2,080 per family home. (i.e. homes with two or more bedrooms).

Payment of developer contributions should be made at the commencement of each phase of development in accordance with an approved phasing plan.

The calculation to reflect a discount of £8,000 per vacant place in St Cuthbert's, Bowesfield and Oxbridge Lane Primary Schools are recorded within the Annual School Census current at the time payment is due, subject to a pro-rata allocation of this discount amongst other planned development within the local area (Planned developments being proposed residential developments which has at least reached the planning application stage). Local Authority to provide one month of a request being made its confirmation of the applicable discount by reference to the Annual School Census and specific details of other developments to benefit from the discount.

Contribution to be held in an interest-bearing account. Payment to be used for the purposes identified within 5 years of the final payment being made or otherwise returned together with the interest accrued.

Public Transport Infrastructure

A commuted sum of £30,000 to be paid to Stockton-on-Tees Borough Council to fund the construction of new bus stop facilities on Bowesfield Lane in the immediate vicinity of the site.

Sum to be paid to the Council on letting the contracts for the construction of the bus stop facilities. Contribution to be held in interest-bearing account. Payment to be used for the purposes identified within 2 years of the payment being made or otherwise returned together with the interest accrued.

Off-site highway works

A contribution shall be paid to the Council of £100,000 for the off site road improvements to the riverside roundabout A1130 on acceptance of the tender for the works. Contribution to be held in the interest-bearing account. Payment to be used for the purposes identified within 2 years of the payment being made or otherwise returned together with the interest accrued.

Conditions

1. The development shall be implemented in general conformity with the approved "Design Guide" document submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority.
2. The total amount of residential units as authorised by this permission shall not, following the issue of the permission hereby granted, exceed 200 dwellings.
3. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. Approval of details of the siting, design and external appearance of the buildings, the means of access, and the landscaping of the site, shall be in

accordance with the details of the scheme to be submitted to and approved by the Local Planning Authority before the development commences.

5. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

6. Development shall not be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space within the site by the developer, as part of the development and such arrangements shall address and contain the following matters:

- (a) The delineation of the proposed public open space
- (b) The type and nature of the facilities to be provided within the public open space
- (c) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development
- (d) The arrangements the developer shall make for the future maintenance of the Public Open Space

7. Details of all external finishing materials including roads and footpaths shall be agreed with the Local Planning Authority before the development is commenced.

8. 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.

9. 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.

10. 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.

11. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation and drainage works has been submitted to and approved in writing by of the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

12. No development approved by this permission shall be commenced until:

- a) A desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably

be expected given those uses and other relevant information and using this information and using this information, a diagrammatical representation (Conceptual Model of the geology and hydrogeology) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model of the geology and hydrogeology). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- A risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected,
- Refinement of the Conceptual Model, and
- The development of a Method Statement detailing the remediation requirements

c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been withdrawn.

d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

13. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the applicant has submitted, and obtained written approval from the Local Planning Authority for an addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

14. Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

15. Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

16. 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.

17. 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 tankages, 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.

18. 5% of the residential units hereby approved shall be affordable and provided in the form of shared ownership and/or shared equality. As part of an application for reserved matters, details shall be submitted for approval of the Local Planning Authority of a scheme for the provision of affordable housing on the site. The submitted scheme shall include details of the following, as appropriate:

- i) The delineation of the area or areas of the site upon which the affordable dwellings will be constructed;
- ii) The type and size of affordable dwellings to be provided;
- iii) The arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;
- iv) The phasing of the affordable housing provision in relation to the provision of open market housing on the site;
- v) Occupancy criteria and nomination rights in relation to identified housing need.

19. 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 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. Before the commencement of the development hereby permitted, a scheme for the protection of the proposed residential dwellings from noise from adjacent uses and works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied. Within such a scheme, an assessment by a noise consultant shall be provided to establish where acoustic protection is required. Where boundaries require acoustic fencing and mounding, the height and acoustic quality shall be justified in relation to potential noise source from the immediately adjacent industrial units. Where appropriate, acoustic double-glazing and mechanical ventilation to first floor bedrooms shall be provided.

25. A cycleway shall be provided and implemented through the site to the satisfaction of the Local Planning Authority before the development hereby approved is occupied.

26. Wherever any changes in levels that are greater or lesser than one metre AOD throughout the development are proposed, details of the existing and finished levels shall be submitted to and approved by the Local Planning Authority before any relevant work is commenced.

1157 05/0026/EIS - Pipe Mill, Portrack Lane, Stockton, Outline application for mixed use development comprising residential (C3) and commercial business (B1) with associated access, car parking & landscaping.

Members were advised that the application sought outline planning permission for a mixed use development comprising residential (C3) and commercial business (B1) with associated access, car parking and landscaping, at the Corus Pipe Mill, Portrack Lane.

In view of the scale of the proposal and the location of the development, an Environmental Impact Assessment (EIA) had been submitted with the application. The EIA concluded that the redevelopment of the site had no adverse impact on the general population or other man made features of Teesside. Positive benefits were identified to the local economy and local employment opportunities resulting from the eventual development of Reclamation Pond for industrial use.

Also supporting the applications were a Transport Assessment and Transport

Strategy together with the indicative master plan and design guide.

To ensure the development proposals complemented proposals from the nearby North Shore regeneration site and that the release of housing was consistent with the principle of managing supply, the completion of the residential units and commercial floor space would be regulated. For the residential development, no more than 100 units would be made available for first occupation within each year of construction. The commercial B1 development would have no more than 3,716 square metres of floor space available for first occupation within each year of construction.

The Highways Agency had issued an Article 14 Direction preventing the application being approved until it had been withdrawn due to the potential impact of the A19 Trunk Road. Extensive discussions had taken place between the Highways Agency, the applicant and the Head of Integrated Transport and Environmental Policy to achieve an appropriate scheme. It was understood that the Highways Agency were now satisfied that an appropriate scheme could be provided and were amenable to the application being considered subject to approval only being granted once they had specified planning conditions they would wish to see imposed.

Members were provided with an updated report, which advised that additional comments had been received from the Head of Integrated Transportation and Environmental Policy and the Landscape Officer.

The Head of Integrated Transportation and Environment Policy advised that the impact of the development on the Highway Network had been under close scrutiny. The agreed levels of development traffic did have a direct adverse impact on the A19/A1046 Haverton Hill Interchange. To that end, significant highway improvement works would be required to accommodate the development traffic. The concurrent application for both North Shore and Haverton Hill Shipyard also had an adverse impact on the operation of the A19/A1046 Haverton Hill Interchange.

Both the Borough Council and the Highways Agency had agreed a comprehensive junction improvement scheme that provided sufficient capacity to deal with all three developments. The applicant should therefore enter into a Section 106 Agreement with the Council to provide funds as a contribution to construct the comprehensive junction improvement scheme.

The applicant would also have to enter into a Section 106 Agreement with the Council to provide funds to construct 'Corus Only' improvements to the A19/A1046 Haverton Hill Interchange, should the comprehensive junction improvement scheme be affected by factors outside of the applicant's control and subsequently not be delivered.

In accordance with the design guide a development of this magnitude would be required to have a full second access. The second access would connect on to Crofton Road and the applicant was required to enter into a Section 106 Agreement with the Council, to facilitate the acquisition of the land and construction of the access. The construction of the second access was not required until commencement of construction of the 100th house on the development. The internal highway design of the development should be such

that it would not encourage through traffic.

The Landscape Officer advised that they no longer required the public open space requirements to be subject to a Section 106 Agreement and was satisfied that the proposed public open space condition was then a more appropriate way of dealing with the situation.

Members were provided with points for clarification, which stated that Housing and Development had agreed an affordable housing element of 15%.

The Regional Planning Guidance for the North East (RPG1), which by virtue of the Planning and Compulsory Purchase Act 2004 had become the Regional Spatial Strategy for the area and part of the development plan.

The conditions set out in the report were suggested conditions, which could require revision as a result of the resolving of the outstanding issues. To enable the determination of the application to be progressed the Head of Planning could be delegated to make any necessary changes to the conditions of Heads of Terms of the Section 106 Agreement therefore the recommendation had been amended to reflect such.

The agent addressed the Committee and advised that Corus was the applicant and owner of the site and they had worked with Planning for 15 months and felt they had a worthwhile development that would benefit the area. Corus had committed to 15% of affordable housing and contributions could equate to £2 million. The development would also help the regeneration of the area.

A Member advised that they were pleased with the 15% allocated to affordable housing, however it was requested that the affordable housing be accessible to public transport and that the agent consider accessibility for those with mobility problems.

The agent advised that it would be in the conditions that such matters would be addressed.

A Member expressed concerns that schools would not be able to cope with the proposed number of children who would be residing in the area, however the officer advised that the figures provided in the report came straight from Education and that the figures fluctuated and changed year upon year.

Members approved of the application but requested that an element of the site's previous life history be preserved on the site.

Although such a request could not be specified in conditions and the fact that the applicant would be selling the land on, it was hoped that the applicant would encourage new owners of the site to incorporate elements of the site's history.

RESOLVED that subject to the withdrawal of the Article 14 Direction by the Highways Agency and the applicant entering into a Section 106 Agreement, that Members be minded to approve Planning Application 05/0026/EIS and delegate the decision to the Head of Planning to make any necessary changes to the planning conditions or Heads of Terms of the Section 106 Agreement.

(Councillor Cains declared a personal/non prejudicial interest in the above item due to being a member of the Cleveland Industrial Archaeology Society).

1158 Statement of Community Involvement - Local Development Framework

Members were provided with a report, which advised them of the recommendations of the Inspector's report, following the examination into the "soundness" of the Statement of Community Involvement.

The Statement of Community Involvement had been submitted to the Secretary of State at the end of August. It coincided with a six week period when formal representation could be submitted for consideration by an independent Inspector.

The examination was now completed and the Inspector had issued his report. The Inspector's report was binding, and the Statement of Community Involvement would be amended in line with the Inspector's recommendations.

Members considered a report of the Statement of Community Involvement at Planning Committee on 22nd February 2006, prior to the Inspector's report being received.

The Inspector had examined the Statement of Community Involvement in relation to 9 tests of "soundness".

The Inspector concluded that the Statement was sound in relation to Tests 1 to 6 and Test 8 but had recommended minor amendments in relation to Tests 7 and 9. The wording recommended in relation to Test 7 was, for the most part, that put forward by the Council during correspondence with the Planning Inspectorate.

A further six recommendations had been received, relating to amendments proposed by the Council in response to representations received during the consultation period.

Following approval and adoption of the Statement of Community Involvement, as soon as was reasonably practical, the Council would make the Inspector's report available for inspection, and give notice of adoption.

Once adopted the Council would need to follow the policy and commitments set out in the Statement of Community Involvement in consulting with the community when preparing local development documents.

Members were advised that the Statement of Community Involvement – Local Development Framework would be put on the corporate website.

RECOMMENDED that the report be noted.

**1159 ITEM FOR INFORMATION
Appeal - Mister Twister - Land adjacent to Fleet Road, Billingham Bottoms,**

Billingham (05/2421/ADV) - DISMISSED