

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 10th June, 2009.

**Present:** Cllr Roy Rix (Chairman); Cllr Hilary Aggio, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Robert Gibson, Cllr Paul Kirton, Cllr Bill Noble, Cllr Mrs Jean O'Donnell, Cllr Mrs Maureen Rigg, Cllr Fred Salt and Cllr Steve Walmsley.

**Officers:** C Straughan, B Jackson, G Archer, R McGuckin, P Shovlin, K Campbell (DNS), J. Butcher, P K Bell (LD)

**Also in attendance:** Public, Agents and Developers.

**Apologies:** Cllr Tina Large, Cllr Phillip Broughton and Cllr Ross Patterson.

### **P       Declarations of Interest**

**31/09**

Councillor Mrs Beaumont declared a personal and prejudicial interest in respect agenda item 3 - The Friarage The Spital, Yarm - Construction of new auditorium, new teaching facilities and associated landscaping at The Friarage, new teaching facility and associated landscaping at The White House, and new entrance wing to block A, landscaping and MUGA surfaces at the Old Grammar School as a her son worked for the architect involved in the application and requested to speak on the item before withdrawing from the meeting and leaving the room.

Councillor Rix declared a personal non prejudicial interest in respect of agenda item 5 - 09/0878/ADV Trinity Green, Holy Trinity Church, Church Ruins - Application for consent to display banners 2m long x .8m wide on 18 no. lamp post within grounds of Holy Trinity Church as he attended the Parkfield Residents Association and Friends of Parkfield meetings and Trinity Green was sometimes considered on the agenda.

### **P       09/0532/FUL**

**32/09**

**The Friarage The Spital, Yarm.**

**Construction of new auditorium, new teaching facilities and associated landscaping at The Friarage, new teaching facility and associated landscaping at The White House, and new entrance wing to block A, landscaping and MUGA surfaces at the Old Grammar School.**

Consideration was given to a report on an application that sought full planning permission for a range of new buildings to replace old and/or temporary structures across the three school sites (Nursery, Preparatory School and the Friarage Senior School).

Associated with the application, Listed Building Consent (LBC) had been sought for alterations to the Friarage (Grade II) and realignment of a wall.

Supporting the application was a Design and Access Statement, Flood Risk Assessment, Conservation Area Appraisal, Arboricultural Implication Assessment, Habitat Survey, Landscaping Proposals, Transport statement, Site Investigation Report, Sustainability Report and Public Consultation Report.

It was outlined that Yarm School was an Independent School founded in 1978 on the site of the former Yarm Grammar School. The school subsequently expanded onto the Friarage site across the road in 1980 and operated from four separate sites. The Friarage (Senior School) and Grammar School Lane (Preparatory School with a Nursery at The White House acquired in 2003), with playing pitches some distance away at Green Lane and Aislaby Road. A Site Location Plan was attached to the report.

The proposal was to redevelop certain elements of all three sites The Nursery, The Preparatory School and the Friarage Senior School site. The development proposals and the current site layout were attached to the report.

The proposal for the Nursery site involved demolishing The Downs property which at the time of this meeting served no educational purpose, enabling the school to then use this land to reorganise Nursery operations. This would then enable sufficient space to allow all of the early years pupils to be housed on the same site (a proportion used facilities on the preparatory School site). The new development would be connected to the existing White House, creating new teaching rooms and secure external recreational space.

In respect of the Preparatory School the works involved the removal of temporary classrooms to provide external teaching environment, a small extension to Block A and provision of a Multi Use Games Area (MUGA) and two full sized netball courts on the adjacent playing fields.

The Friarage proposals involved the construction of new accommodation as part of the wider reorganisation of the site including the removal of a number of old and temporary classrooms to provide the location for a new theatre and ancillary buildings.

Accesses to the sites were directly from the principal A67, The Spital or Yarm High Street. Access arrangements to the Friarage site were a two-way entrance (off peak) from The Spital and a one-way (inbound) access from Yarm High Street. The Preparatory School site was accessed along Grammar school Lane which had a priority junction with The Spital to the south of the Friarage access.

It was noted that the applicant had undertaken consultation in accordance with the adopted Statement of Community Involvement. This involved a range of activities including meeting with statutory consultees and local stakeholders and residents.

Local residents/businesses had been individually notified of the application and it had also been advertised on site and in the local press. The Consultees that had been notified and their comments received were summarised below within the report.

Neighbours were notified and the comments received were also summarised within the report.

118 letters of support and 3 letters with comments had been received. The support issues and comments were detailed within the report.

With regard planning policy, where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans was the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

The following planning policies were considered to be relevant to the consideration of the application:-

Policy GP1  
Policy EN24  
Policy EN25  
Policy EN26  
Policy EN28  
Policy EN30

National policy and other Local policy and Guidance that was considered was:-

Planning policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 9: Biodiversity and Geological Conservation  
Planning Policy Guidance Note 13: Transport  
Planning Policy Guidance Note 15: Planning and the Historic Environment  
Planning Policy Statement 25: Development and Flood Risk

The main material planning considerations of the application related to whether it satisfied the requirements of National and Regional Guidance and Local Plan Policies, the impact on the listed building and character of the conservation area, the impact of the proposed development on the locality in terms of residential amenity, flood risk, ecology and nature conservation, vehicular access and traffic impact and highway safety.

An update report was distributed for Members that included a consultation response from Yarm Town Council, information relating to the recommended conditions and site plans for phases 1 - 5. The recommendations of the main report remained unchanged.

Members considered that the development had the necessary design quality for the prominent site and would have a satisfactory relationship to the surrounding area. It was not considered that the development would adversely affect the character of the conservation area or the setting of the listed building. Overall the nature and scale of the development was acceptable and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on ecological habitat and flooding. The proposed access and highway arrangements satisfied the requirements of Head of Technical Services and the proposal was in accordance with relevant planning policy and guidance.

RESOLVED that application 09/0532/FUL be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the following conditions:-

In the event of the legal agreement having not been signed on the 10 June 2009 that the application be refused.

## SECTION 106 AGREEMENT

### Heads of Terms

1. Upon commencement of the New Riverside development at the Senior School submit a scheme for approval by the local planning authority of remedial works to secure the temporary structural stability and weather tightness of the listed Dovecot, and thereafter undertake the approved works in accordance with the approved details prior to the first occupation of the Auditorium and New Riverside development at the Senior School.

2. Submit a scheme for the future use of the listed dovecot and a schedule of repairs within 36 months of the development hereby approved having commenced on site and thereafter undertake the approved works within a timescale to be agreed with the local planning authority.

### Conditions

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

3004 AL(2)106B,520B, 3004AL90)001D,3004 AL(0)002E,003D, 006A,007B,010B,011A,012B,013A,014A,020A,021A,022A,100A,101B,102D,103C,104A,105A, 3004AL(2)001A,002A, 003A, 004A, 020A, 101D, 102C,103C,104C, 105C, 106 B,107A, 220A,221A,222A, 400C,401B, 500B,501B,510B,520B, 03-3331-002F,03-3331-003D,03-3331-004D,03-3331-010,03-3331-011,03-3331-012.

2. Prior to the commencement of the school accommodation development (Phases 3,4 and 5 as shown in Associated Architects Yarm School plan dated June 2009) details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.

3. Prior to the commencement of the school accommodation development (Phases 3,4 and 5 as shown in Associated Architects Yarm School plan dated June 2009) details of all external finishing materials including roads and footpaths shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

4. Full details of the method of Enclosure & Street Furniture:-

a) All means of enclosure including;

b) any requirement for earthwork retention;  
c) and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before the school accommodation hereby approved is commenced (Phases 3,4 and 5 as shown in Associated Architects Yarm School plan dated June 2009). Such means of enclosure and street furniture as agreed shall be erected before the development hereby approved is occupied.

5. Full details of the method of external illumination

a) siting,

b) Angle of alignment;

c) light colour

d) luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before school accommodation is commenced (Phases 3,4 and 5 as shown in Associated Architects Yarm School plan dated June 2009) and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

6. Prior to the occupation of the development a Management Plan for use of the Auditorium for events that may be held within the school site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hours of use, access and parking, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development unless otherwise agreed in writing with the local planning authority and shall be effective during the life of the school unless otherwise agreed in writing.

7. The development shall secure at least 10% of its energy supply from renewable energy or low carbon sources, unless otherwise agreed in writing by the Local Planning Authority No school accommodation shall be commenced until an energy strategy has been submitted to and agreed in writing by the (Phases 3,4 and 5 as shown in Associated Architects Yarm School plan dated June 2009) Local Planning Authority including details of how that strategy will contribute towards achieving the 10% requirement for the whole development. Thereafter the agreed scheme shall be implemented in complete accordance with the details of the scheme unless otherwise agreed in writing by the Local Planning Authority.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.

9. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority.

10. No school accommodation shall be commenced (Phases 3,4 and 5 as

shown in Associated Architects Yarm School plan dated June 2009) until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:-

- a) commencement of the development
  - b) or agreed phases
  - c) or prior to the occupation of any part of the development
- and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

11. A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the

- a) development
- b) Or approved phases.

Maintenance shall be detailed for a minimum of 5 years from date of completion of the total scheme regardless of any phased development. The landscape management plan shall be carried out as approved.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

Landscape maintenance shall be detailed for the initial 5 year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

12. Prior to the commencement of development a scheme for the provision and management of a 5 metre wide buffer zone alongside the River Tees shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:-

- plans showing the extent and layout of the buffer zone
- details demonstrating how the buffer zone will be protected during development
- details demonstrating how the buffer zone will be managed over the longer term, including actions to control invasive plant species and enhance habitats for otters and water voles

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) version 3 and the design and mitigation measures detailed therein.

14. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

15. No development shall take place unless in broad accordance with the mitigation detailed within the Bat Roost Potential Survey (May 2009).

The proposal has been considered against the policies below and it is considered that there are no material considerations that indicate a decision should be otherwise.

Policies GP1, EN24, EN25, EN26, EN28, EN30 of the adopted Stockton on Tees Local Plan.

Policies GP1, EN24, EN25, EN26, EN28, EN30 of the adopted Stockton on Tees Local Plan.

**P  
33/09**

**08/3644/EIS**

**Land To The North Of The River Tees, To The South Of A1046 And Church Road, And East Of The Square**

**Outline planning application for residential (Class C3), employment (Class B1), health care facility (Class D1), leisure (Class A3, A4, A5, C1 and D2), ancillary retail and services (Class A1 and A2) and car dealership (sui generis) with car parking and associated landscaping and infrastructure improvements.**

Consideration was given to a report on an application that sought outline planning permission for a mixed-use development on the Northshore development site, Stockton on Tees. The application was in outline with all matters reserved for subsequent approval.

The application was to establish the principle of the development. In view of the scale of the proposal and the location of the development, an Environmental Statement (ES) had been submitted with the application together with a Planning Statement, Design and Access Statement, Statement of Community Involvement, Transport Assessment, Travel Plan Framework and Flood Risk Assessment.

The proposal was to develop the 23 hectare site for the following principal land uses, residential, business park, hotel accommodation, ancillary leisure and retail facilities, health care facility, car dealership, recreational uses with car parking and associated landscaping and infrastructure improvements as part of

a comprehensive mixed use development.

The main material planning considerations of the application related to the impact of the proposed development on the locality in terms of vehicular access and traffic impact and highway safety, flood risk, ecology and nature conservation and whether it satisfied the requirements of National and Regional Guidance and Local Plan Policies.

It was outlined two linked applications submitted by English Partnerships relating to the reclamation and future development of the North Bank area of the Tees opposite the Teesdale area and located between the Princess Diana Bridge and the David Lloyd Tennis Centre were approved in June 2002. The two applications were:-

Application 01/1790/P – outline application for mixed use development comprising of research park/offices (B1), café/pub/restaurant, residential, car showroom and associated roads, footpaths, cycleways, landscaping and riverside promenade;

Application 01/1760/P – reclamation and infrastructure works to allow implementation of the north bank scheme. The application incorporated and built upon the previous permission (99/1716/P) approved 10 December 1999 for the proposed site roads including a pedestrian bridge over the River Tees linking the site to Teesdale adjacent to the University.

The lead on the development moved to Tees Valley Regeneration in association with English Partnerships (the primary land owner and original applicant), One North East and Stockton on Tees Borough Council. A revised Master Plan was produced following an extensive re-appraisal of the original plan and agreed by the Planning Committee in February 2005. The "Benoy" Masterplan changed the focus of the plan from mainly office B1 development to increase the mix of development with more housing and seeking to make better use of the waterfront location and links to the Town Centre. The name of the site also changed to "North Shore" to reflect its name in the 19th Century. The new North Shore Master Plan also extended the area to include land in the town centre on Church Road and known as the Eastern Gateway site.

An application for planning permission under Section 73 of the Town & Country Planning Act 1990, to vary the original outline application (01/1790/P) to allow an additional three years for the submission of detailed plans was granted on 22nd August 2006. The period allowed for the submission of reserved matters relating to that outline was thereby extended to August 2008.

The Benoy Masterplan included areas of land that fell outside the boundary of the outline planning application, namely the Eastern Gateway site and 4 terraced houses at 111-117 Church Road. Accordingly, to ensure a comprehensive development an outline application (06/1956/OUT) was submitted in June 2006 for a mixed use development on the Eastern Gateway site and a multi-storey car park on the site on Church Road.

Planning permission was granted in June 2006 for the erection of a footbridge, providing a link over the River Tees between Northshore and Teesdale and the University of Durham's Queens Campus (06/0670/FUL).



An Environmental Impact Assessment (EIA) had been prepared on behalf of the applicant to accompany the outline application. The Environmental Statement (ES) had regard to the following environmental considerations to identify and the means by which significant adverse effects would be remedied. The findings of the ES were summarised within the report.

The Transport Assessment assessed worst-case scenario in transportation terms. This had been quantified by the transportation consultants as the following form of development, namely the highest level of traffic generation that can occur within the constraints of the floorspace caps for both individual uses and the whole development. The applicant stated that this was not the most likely form of development, rather it was the worst case, in transportation terms.

It was noted that the applicant had undertaken consultation in accordance with the adopted Statement of Community Involvement. This involved a range of activities including meeting with statutory consultees and local stakeholders and residents, a public exhibition held in Stockton Central Library, a leaflet to over 200 local businesses and residents within the vicinity of the site and media articles.

Local residents/businesses had been individually notified of the application and it had also been advertised on site and in the local press. The consultees that had been notified and the comments that had been received were detailed within the report.

Neighbours had been notified and their comments were detailed within the report.

With regard planning policy, where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans was the Stockton on Tees Local Plan (STLP), Tees Valley Structure Plan (TVSP) and the Regional Spatial Strategy (RRS).

In respect of housing, the Tees Valley Structure Plan reflected national and regional guidance. The strategy adopted in the Tees Valley Structure Plan was one of sustainable urban growth with the majority of new development taking place on previously developed land within urban areas or along public transport corridors on the edge of the main built-up areas. The Structure Plan also supported the need for increased residential densities and the provision of affordable housing as appropriate.

The following planning policies were considered to be relevant to the consideration of this application:-

- Planning Policy Statement 1
- Planning Policy Statement 3
- Planning Policy Guidance Note 4
- Planning Policy Statement 6
- Planning Policy Guidance Note 13

Planning Policy Guidance Note 17  
Planning Policy Statement 23  
Planning Policy Statement 25  
Regional Spatial Strategy for the North East (RSS)

In relation to the Tees Valley City Region it stated that the development of the Tees barrage had transformed Stockton Riverside and provided for attracting further office, employment uses, housing and an expansion of the university at the Northshore. There was also a major opportunity to link the town centre back to the Riverside. Policy 13 identified Northshore as one of eight major mixed-use regeneration projects. The supporting text stated that these schemes all had the aim of delivering sustainable economic activity and provide development and investment opportunities that would ensure the long-term development and regeneration of the North East. Many of the locations of such schemes accorded well with the locational strategy of the RSS, and also help to deliver the objectives of sustainable communities and city region policies. The creation of stylish apartments and family living accommodation, large scale office development, new educational facilities, business incubator units and sectors for quality tourism, culture, retail and leisure offer a unique opportunity to extend, and in many cases exceed, the current North East offering. As well as enriching the experience of people who will work and live in their surroundings, these flagship schemes would provide the catalyst for wider regeneration.

#### Stockton on Tees Local Plan Saved Policies

Policy GP1  
Policy ED4  
Policy EN17  
Policy HO3  
Policy HO11  
Policy REC11  
Policy REC17h  
Policy REC18b  
Policy REC20  
Policy SH13  
Policy S15  
Supplementary Planning Document 3  
Supplementary Planning Guidance 4 (SPG 4)

The main material planning considerations of the application related to whether it satisfied the requirements of National and Regional Guidance and Local Plan Policies, the impact of the proposed development on the locality in terms of neighbouring amenity, flood risk, ecology and nature conservation and vehicular access and traffic impact and highway safety.

Mr G Butterfield (Tees Review Trust) was in attendance at the meeting and was given the opportunity to address Members.

Members considered that the principle of residential mixed use development was acceptable in this location. Overall the nature and scale of the development was acceptable and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on ecological habitat and

flooding. The proposed access and highway arrangements satisfied the requirements of Head of Technical Services and the proposal was in accordance with relevant planning policy and guidance.

RESOLVED that application 08/3644/EIS be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below or such other terms to be negotiated and agreed by the Head of Planning and the conditions:-

In the event of the legal agreement having not been signed, or there still being outstanding matters on the 20th August 2009 that the application be refused.

#### Heads of Terms

##### Education Contribution

A payment of £720 per family home shall be paid in respect of the first 300 family homes; thereafter the payment per family home shall be £2080.

A "family home" shall be defined as per SBC's SPD 6: planning obligations - all dwellings (except flats) of 2 bedrooms or more and all flats of 3 bedrooms or more (excluding sheltered housing, student accommodation, care homes, studio flats and residential homes for the elderly)

Education Contribution to be paid on a phased basis – upon substantial completion of every 50th dwelling.

##### Affordable Housing

8% of the residential units shall be affordable and provided in the form of shared equity, shared ownership, social rented or such other means of affordable housing as defined by the Housing Corporation and agreed with the local planning authority.

The obligation shall apply to initial and successive owners of the affordable housing units.

A scheme for the provision of affordable housing shall be submitted to the LPA as part of the application for Reserved Matters and shall be implemented in accordance with the agreed scheme. The scheme shall include:-

- 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.

##### Open Space

Details of the siting, size and nature of the public open space (POS) to be provided on each phase of the development shall be submitted for the prior approval of the LPA with the Reserved Matters application for that phase. The land to form the POS must be included in the red line boundary of the reserved matters application. The POS shall include the area known as the mound unless otherwise agreed with the Council. Unless otherwise agreed with the LPA the mound shall be included in the reserved matters application for the Home Zone.

Prior to the commencement of the construction of the 151st dwelling details of the layout, specification of equipment, phasing arrangements for the completion and arrangements for future maintenance of the POS shall be submitted to and approved by the LPA. The POS shall be completed in accordance with the approved scheme and completed in accordance with the timescale contained in the approved scheme or 3 years from the granting of the reserved matters approval for that phase whichever is the earlier.

The POS shall include provision of on-site play space for 4-8 year olds and 8-13 year olds. For the avoidance of doubt areas of public realm and SUDS schemes (with the exception of the mound) shall not be acceptable as forming part of the site available for this type of play space. The play space shall be designed in accordance with the Stockton-on-Tees Borough Council Standards relevant at the time of commencing design works.

Should a scheme for the POS not include the mound (or such other land on-site to provide sufficient surface area and facilities for play, to the satisfaction of the LPA for 8-13 year olds) a payment of £100,000 shall be paid to the Council towards the provision of off-site play facilities in the vicinity of the site.

Should the Council agree to take title transfer of the POS, or any part of it, a commuted lump sum shall be payable for the maintenance of the POS calculated in accordance with the formula contained in Appendix E of the SBC SPD 6: Planning Obligations (or such replacement formula as may supersede it) where applicable.

Any elements within the POS which require maintenance by the Council as a result of title transfer and are not contained on Appendix E, including SUDS schemes and public realm, shall be subject to an additional commuted lump sum to be determined by the Council.

The payment of the commuted lump sum to be in accordance with a programme of phased payments agreed by the LPA and included in the approved scheme for POS submitted as above.

The Owner is not obliged to offer to transfer and the Council is not obliged to accept transfer of the POS and in the event that the Council will not takeover responsibility for the POS a scheme for the future maintenance of the POS shall be approved by the LPA and submitted with the reserved matters application (as above).

Any title transfer to the Council of the POS will include all necessary indemnity or other agreements deemed necessary in relation to, for example, any contamination of the site.

## Employment and Training

30% of jobs on the development to be made available to residents of the target areas and 30% of total net value of the services and materials used in the development are to be provided by businesses within the target areas (as per schedule 13 of the Development Agreement). The Owner/Developer shall be obliged to include the employment provisions in a Project Execution Plan which shall be provided to each and every contractor and sub-contractor.

## Highways

The Framework Travel Plan: Northshore Development Partnership Muse / Urban Splash as submitted to the LPA as part of the application for Reserved Matters shall be implemented in accordance with the Planning Approval. The Owner / Developer shall be obliged to include the following payments required as part of the Travel Plan or as mitigation measures required as part of the Transport Assessment.

1. Payment of £200,000\* for enhancements to the bus services by diverting services through the site – to be paid in accordance with the terms of the Framework Travel Plan.
2. Payment of £90,000\* towards improvements to bus stop facilities on Portrack Lane and North Shore Spine Road – payable prior to 10% of occupants being on site. This will be based on actual numbers where known or equated to a gross floor area using an average of 1 person per 20m<sup>2</sup> for commercial development and 2.5 persons per dwelling. Full occupation for this purpose will be based upon the completed development as assessed in the Transport Assessment.
3. Payment of £40,000\* towards off site improvements to the Riverside Roundabout A1130 – payable on acceptance of the Tender for the works.
4. Payment of £54,000\*\* to meet the costs of the widening of the northbound approach to the Church Road/Maritime Road traffic signal junction - such costs shall be the total costs of the widening works and the Owner will be obliged to enter into a s278 agreement for these works - payable prior to 10% of occupants being on site. This will be based on actual numbers where known or equated to a gross floor area using an average of 1 person per 20m<sup>2</sup> for commercial development and 2.5 persons per dwelling. Full occupation for this purpose will be based upon the completed development as assessed in the Transport Assessment.
5. Payment of £21,000\* for the installation by the Council of Automatic Traffic Counters (ATC's) for monitoring vehicle trip levels from and to the development – payable on the occupation of first building.
6. Payment of £15,000\* for the monitoring of the ATC's and the North Shore Trip Levels by the Council bi-annually for a period of 15 years. To be paid upon commissioning of the ATC's by the Council. The council will continue to monitor these locations after this period.

7. Should the vehicle trip rate exceed any of the individual trip rates shown in the table below the Owner shall be obliged to meet the costs of the signalisation by the Council of the North Shore Spine Road (estimated at £158,000\*\*) and Dugdale Street (estimated at £126,000\*\*) - such costs shall be the total costs of the signalisation and the Owner will be obliged to enter into a s278 agreement for these works.

AM Peak - Arrivals - 1331 - Departures - 617 - Total AM - 1948  
PM Peak - Arrivals - 396 - Departures - 742 - Total PM - 1138

8. Payment of a commuted lump sum, to be calculated in accordance with the formula set out in Appendix F of the SBC SPD 6: Planning Obligations (or such replacement formula as may supersede it), for the maintenance of trees, street furniture and soft landscaping in the adopted highway. The scheme for trees, street furniture and soft landscaping is to be submitted to the LPA with each submission of Reserved Matters and shall be agreed with the local planning authority prior to commencement of development of each phase, the commuted lump sum to be payable prior to the Council adopting the highway or as otherwise agreed in writing with the Council. The Council will not be obliged to maintain such features until payment is made and the Owner shall remain responsible for replacing damaged, dying or removed features until payment is made.

In the event that the scheme for trees, street furniture and soft landscaping is not to be adopted but the Council the scheme for its maintenance shall be submitted to the Council for approval with the application for reserved matters.

\* Estimated costs are given at today's rates.

\*\* Estimated costs are given at today's rates and exclude any land assembly costs or works associated with Statutory Utility diversions, in particular the removal of the existing Electricity Substation located on Dugdale Street.

Conditions:-

1. Applications for reserved matters shall be made to the Local Planning Authority before the expiry of twelve years from the date of the permission and the development of the last phase shall be begun before the expiration of two years from the date of approval of the final reserved matter.

Reason: To ensure that the development is commenced within a reasonable period of time from the date of this permission.

2. The development hereby approved shall be implemented in broad accordance with the Phasing programme provided within the North Shore Design and Access Statement (Revision 04, 9 June 2008) or any other phasing programme agreed in writing with the Local Planning Authority.

3. Approval of the details of the access, appearance, layout and scale of the buildings and landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority before that Phase of development is commenced.

4. The development hereby permitted shall be implemented in broad accordance with Section 8.0 of the Design and Access Statement (Revision 04, 9 June 2008), unless otherwise agreed in writing by the Local Planning Authority.

5. The total development hereby approved shall not exceed 166,624sqm of gross internal floor area and 3,500 car parking spaces. Within the 166,624sqm, the amount of gross floor space for individual uses shall not exceed the following maxima:

- Residential = 999 units

- Commercial = 108,336sqm (comprising Class A1, A2, A3, A4, A5, B1, Hotel (C1), car dealership (sui generis) and Health Centre (D1) as defined in the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, including the Town and Country Planning (Use Classes Amendment) (England) Order 2005))

- Watersports Centre and Marine Club (Class D2) = 2,315sqm

6. Each application for reserved matters shall be accompanied by a schedule providing details of the amount of floorspace for each use included within the reserved matters application.

7. In accordance with the "Quantum of Development" condition 5, the total amount of employment, retail, leisure, hotel, health care and car dealership floorspaces shall not exceed 108,336sqm of gross internal area (GIA) cumulatively. However, individual uses shall not exceed the following maxima, up to a total of 108,336sqm, unless otherwise agreed in writing with the Local Planning Authority:-

- Employment (Class B1) = 85,757sqm (GIA)
- Retail and Leisure (Class A1, A2, A3, A4 and A5) = 8,050sqm (GIA)
- Hotel (Class C1) = 12,600sqm (GIA)
- Health care (Class D1) = 8,000sqm (GIA)
- Car dealership (sui generis) = 1,929sqm (GIA)

8. The gross external floor area to be used for the sale of convenience and comparison retail goods within Class A1 shall not exceed 2,450 sqm.

9. Within the retail floorspace hereby permitted, no individual convenience retail unit shall exceed 1,100 sqm gross internal floor area.

10. With the exception of the conveniences store, no unit within Class A1 (shops), Class A2 (financial and professional services) or Class A5 (hot food take-aways) shall exceed 400 sqm gross internal floor area.

11. The combined gross internal floor area of uses within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments), Class A5 (hot food takeaways) and Class D2 (assembly and leisure) shall be in general accordance with the

schedule on page 167 of the Design and Access Statement (Revision 04, June 2008) unless otherwise agreed in writing with the LPA.

12. No more than 999 residential units shall be provided. Across the overall development, the housing mix should comprise up to the following maximum, unless otherwise agreed in writing with the local planning authority:

- Two and three storey houses – up to 350 units
- 1 bed apartments / studios – up to 300 units
- 2 bed apartments / maisonettes- up to 599 units
- 3 bed apartments / maisonettes – up to 100 units

13. The development must obtain at least a very good BREEAM rating for the commercial development and Building Research Establishment ECO Homes Standard of very good for any part of the development which is to be used for residential purposes, unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

14. The development shall secure at least 10% of its energy supply from renewable energy or low carbon sources, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place within any phase until an energy strategy has been submitted to and agreed in writing by the Local Planning Authority for that phase which includes details of how that phase will contribute towards achieving the 10% requirement for the whole development. Thereafter the agreed scheme shall be implemented in complete accordance with the details of the scheme unless otherwise agreed in writing by the Local Planning Authority.

15. No construction works shall take place on the external surfaces of any building(s) within any Phase until the materials to be used on external surfaces for that building(s) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

16. No development shall take place within any Phase until details of the means of boundary treatment for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

17. Prior to first occupation within any Phase, a scheme for the provision of street furniture for that Phase, including timescale for delivery, should be submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

18. No development shall take place within any Phase until details of the means and location for the storage and disposal of refuse for each unit within that Phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.



19. No development shall take place within each Phase until the details of the service roads, means of vehicular access to each building, footpath and cycle routes and any highway works, including any off-site highway works as may be required within that Phase, together with a phasing strategy for the implementation of these works, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

20. No development shall commence within each Phase until a car parking scheme for that Phase, including temporary parking for use during the construction period, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

21. No development shall commence within each Phase until a cycle parking scheme for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

22. Garages on drive lengths less than 6 meters in length shall be fitted with roller shutter garage doors or such other solution as agreed in writing by the Local Planning Authority.

23. A Road Safety Audit should be submitted to and agreed in writing by the Local Planning Authority with each application for reserved matters. The findings of the report should be implemented as approved, unless otherwise agreed in writing with the Local Planning Authority.

24. No development shall commence within each Phase until a detailed scheme for landscaping and tree and/or shrub planting and grass for that Phase has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities, layout contouring, drainage and surfacing of all open space areas. The works shall be completed in accordance with a phasing scheme to be agreed in writing with the Local Planning Authority. Should any trees or plants, excluding those within privately owned domestic gardens, within a period of five years from the date of planting die, be removed, become seriously damaged or diseased, these shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.

25. No development shall be occupied within each Phase until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and public realm areas, other than privately owned domestic gardens, for that Phase has been submitted to and approved by the Local Planning Authority. Soft landscape maintenance shall be detailed for the initial 5 year establishment period. A long-term management plan for all landscape and public realm areas for a period of 20 years should be submitted to and approved in writing with the

Local Planning Authority. The landscape management plan shall be carried out as approved, unless the Local Planning Authority gives written consent to any variation.

26. All trees on site and within 10m of its external boundary shall be indicated on a Site Survey Plan. These trees shall be assessed in accordance with BS5837:2005 Trees in Relation to Construction. The assessment should concur with the latest site plans and include for the following information:-

- a) A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm.
- b) A tree schedule as detailed in Ref. 4.2.6 BS5837:2005;
- c) A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.
- d) Details of any ground level changes or excavations within 5 metres of the Root Protection Area (Para 5.2.2. of BS5837) of any tree to be retained including those on adjacent land.
- e) A statement setting out long-term future of the trees in terms of aesthetic quality and including post development pressure.

27. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective within a period of five years from the date of planting must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

28. No development shall commence within any Phase until a scheme for the protection of trees (Section 7, BS 5837:2005) either within or within 10m of the site boundary to that Phase has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

29. No development shall commence within each Phase until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space within that Phase by the developer, as part of the development, and such arrangements shall address and contain the following matters:-

- a) The siting of the proposed Public Open Space
- b) The type and nature of any facilities to be provided within the Public Open Space
- c) The phasing arrangements for completing the public open space
- d) Timescales for agreeing the arrangements the developer shall make for the future maintenance of the Public Open Space

The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part C) above, unless otherwise agreed in writing with the Local Planning Authority.

30. Prior to the commencement of each Phase of development, a scheme for the provision and management of a 10m buffer zone alongside the watercourse (out with of the proposed marina) for that Phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:-

plans showing the extent and layout of the buffer zone  
details of the planting scheme (for example, native species)  
details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term  
details demonstrating how the buffer zone will be protected during development and manage/maintained over the longer term  
details of any management of invasive species such as Himalayan balsam, giant hogweed and Japanese knotweed  
Details of any footpaths, fencing, lighting and any other street works.

31. Notwithstanding the submitted information details of the proposed boundary treatment to the River Tees for the Marina shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the Marina. These works shall be completed in accordance with the approved scheme.

32. No development shall take place within each phase unless in broad accordance with the mitigation detailed within section 4 of the External Building Bat Survey (May 2007), section 4 of the Internal Building and Evening Emergence Bat Survey (June 2007) and section 5.2 of the Stockton North Shore Breeding Bird Survey (July 2007) which are contained within the appendices of the Northshore Environmental Statement (February 2009 Revision 01), together with the mitigation specified within the letter dated 5 May 2009 from Buro Happold to Stockton Borough Council, including but not restricted to adherence to timing restrictions.

33. No development shall take place within each Phase until details of the existing and proposed site levels within that Phase have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

34. A supplementary flood risk assessment, taking the proposed works into account, shall be submitted to, and approved in writing by the Local Planning Authority prior to the submission of any reserved matters application encompassing areas of the site within 50m of the River Tees. These documents shall be prepared in accordance with the latest national guidance and the latest available information on flood risk and climate change. The assessment should also address the following aspects:-

1. Ensure finished floor levels for residential development are set no lower than

5.38m above Ordnance Datum (AOD). Proposed finished floor levels for all development within and adjacent to the flood zones will also be submitted.

2. All proposed development within flood zones include appropriate flood protection measures and a flood warning system.

3. All proposed development within flood zones are provided with safe dry routes into and out of the site to an appropriate safe haven.

35. Development shall not begin within each Phase until a surface water drainage scheme for that Phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include a timetable for implementation and shall demonstrate that there will be no increase in surface water run off for the design life of the site. The scheme shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing with the Local Planning Authority. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

36. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

37. No phase of the development hereby permitted shall be commenced until such time as a scheme to dispose of foul drainage and of contaminated surface water run-off for that Phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.

38. Surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor. Roof water shall not pass through the interceptor.

39. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

40. No development shall take place within any Phase until a scheme for disposal of sewage has been submitted to and approved in writing by the Local Planning Authority. No development within any Phase shall be occupied until the approved works for sewage disposal has been provided to serve that Phase of development.

41. No development shall take place within Site 51 (former Northshore Shipyard) and Site 3 (former Northshore Pottery) as identified on Figure 10-2 of the Northshore Environmental Statement (February 2009 - revision 01) until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority. Should nationally important archaeological remains exist, there should be a presumption for their preservation in situ, unless otherwise agreed by the Local Planning Authority.

42. No development shall commence within any Phase until a scheme of

lighting for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall take place in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

43. No development shall take place within any Phase unless in broad accordance with the mitigation detailed within section 12.7 of the noise and vibration section of the Northshore Environmental Statement (February 2009 Revision 01) including during the construction process unless otherwise agreed in writing with the Local planning Authority.

44. Prior to the commencement of each Phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of that Phase has been submitted to and approved, in writing, by the local planning authority:-

1) A preliminary risk assessment which has identified:-

all previous uses

potential contaminants associated with those uses

a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

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

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

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

Any changes to these components will require the express consent of the Local Planning Authority. The scheme shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority.

45. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

46. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

47. Construction work and deliveries associated with the proposal shall only take place between the hours of 7am to 7pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

48. No development shall commence until a construction environmental management plan, including a dust management plan, for that phase has been submitted to and approved in writing by the Local Planning Authority including details of earth moving activities, control and treatment of stock piles, parking for use during construction and wheel washing facilities. Thereafter, the construction environmental management plan should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

49. No development shall commence within any phase until a site waste management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The site waste management plan shall be prepared in broad accordance with the mitigation detailed within section 13.6 and 13.7 of the waste chapter of the Northshore Environmental Statement (February 2009 Revision 01). Thereafter, the site waste management plan should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

50. The scheme of public art shall be implemented in broad accordance with the Public Act Strategy contained within Section 5.7 of the Design and Access Statement, unless otherwise agreed in writing by the Local Planning Authority.

51. No works shall take place in connection with the demolition of the River Tees Watersports Centre until the new replacement facility has been completed and is ready for operation, unless otherwise agreed in writing by the Local Planning Authority.

52. 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), no dwellinghouse hereby approved shall be extended or structurally altered in any way, including the installation of micro generation equipment, nor shall any ancillary buildings be erected within the curtilage without the written approval of the Local Planning Authority or unless the extensions or alterations accord with a Design Code that is agreed with the Local Planning Authority as part of any reserved matters planning application for the appearance of the dwellinghouses.

53. Notwithstanding the provisions of classes A, B, C, D, E, F and G of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no commercial unit hereby approved shall change to another use without the written approval of the Local Planning Authority.

54. The development hereby approved shall implement and monitor the Travel Plan prepared by RPS Issue 3 (dated 20/05/09).

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**09/0878/ADV**

**Trinity Green, Holy Trinity Church, Church Ruins**

**Application for consent to display banners 2m long x .8m wide on 18 no. lamp post within grounds of Holy Trinity Church**

Consideration was given to a report on an application that sought advert consent to display banners 2m long x .8m wide on 18 no. lamp post within grounds of Holy Trinity Church.

The application was part of the wider interpretation works for the Trinity Green site.

Stockton Borough Council had consolidated Holy Trinity Church as a controlled ruin with the help of various funders.

The intention was to develop the wider Trinity Green site as a public park for both residents and visitors alike. The objective was to improve the character and appearance of the park and include appropriate interpretation. An accompanying application for a pinnacle and interpretation door feature (09/0794/LA) was approved at the Planning Committee meeting on 20th of May 2009.

The banners would be in the format of a historical time line focusing on historical events, buildings and people. The actual finalised banner designs were to be artist evolved, based on information gathered from local residents and school children.

The details of the Consultees and their comments were detailed within the report.

Neighbours were notified by means of letter and no comments were received.

With regard planning policy it was outlined that in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 1(3) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

Factors relevant to amenity included the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;

Factors relevant to public safety included:-

- (i) The safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (ii) Whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- (iii) Whether the display of the advertisement in question is likely to hinder the

operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that was being displayed and unless it appeared to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what was to be displayed.

The relevant development plan in this case was the adopted Stockton on Tees Local Plan and the relevant saved policies:-

Policy GP1  
Policy EN28  
PPG 19

The main considerations of the application related to the impact on visual amenity and the impact on highway and public safety and whether it satisfied the requirements of the Local Plan Policies and Government Guidance. The impact on the character of the setting of the listed building was also considered.

Members considered that the banners would have a significant impact on the visual amenity of the area and would have an adverse impact on the setting of the listed church and the wider context of the park.

RESOLVED that planning application 09/0878/ADV be deferred to allow the applicant to explain the proposal and concept in more detail.

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35/09**      **Local Development Framework: Tees Valley Joint Minerals and Waste Core Strategy and Site Allocations Development Plan Documents (DPDS) First Publication Draft and Sustainability Appraisal**

Consideration was given to a report that updated members on progress in the production of the Joint Tees Valley Minerals and Waste Core Strategy and Site Allocations Development Plan Documents and Sustainability Appraisal. It sought endorsement of the First Publication Draft Reports and Sustainability Appraisal for a six-week period of public consultation beginning in August 2009. The reports were attached for information.

It was outlined that the Tees Valley Joint Strategy Unit was preparing Joint Minerals and Waste Development Plan Documents on behalf of the Tees Valley Local Planning Authorities. In setting up the arrangements for this joint working, it was agreed that each authority would separately approve any consultation documents.

Two DPDs would provide the policy framework for determining planning applications for minerals developments for the period to 2024 and waste developments to 2021, these were:-

- The Core Strategy DPD which sets out overall strategy and generic development control policies for determining applications for minerals and waste



developments,

- The Site Allocations DPD which identified specific sites for future development and which contained detailed policies for assessing planning applications.

Both documents were accompanied by a Sustainability Appraisal of the options considered and selected.

The First Publication Draft Report was a key milestone in the preparation of a development plan document and represented the final stage in the production process prior to submission of the documents to the Secretary of State. The first stage was the Issues and Options Report, which was consulted on in May-June 2007. The second phase of the process was the Preferred Options report, which was consulted on during February – April 2008. It was intended to publish the Core Strategy and Site Allocations First Publication Documents and the associated Sustainability Appraisal for a six-week consultation period beginning in August 2009. Following this the documents would be submitted to the Secretary of State in December 2009, with an examination into the soundness of the documents occurring during 2010.

The documents had three overarching purposes:-

- \* To ensure the production of sufficient quantities of minerals in the sub-region to support anticipated levels of growth expected to 2024,
- \* To support the development of a network of waste management facilities, which would be able to deal with the waste generated in the sub region in a sustainable manner.
- \* To ensure that the environment and amenity of the residents of the Tees Valley are protected.

Members received an update report that outlined that following the finalisation of the Planning Committee report the Council had received a further version of the documents, which incorporated a number of maps. These maps were attached to the update report for Members information. The information did not change the recommendations from the original report.

Following the Publication stage, the DPDs would be submitted to the Secretary of State in December 2009. The DPDs would then progress to an independent examination in March 2010 before adoption in July 2010.

RESOLVED that:-

1. The Tees Valley Joint Minerals and Waste Core Strategy and Site Allocations Development Plan Documents First Publication Draft and Sustainability Appraisal be endorsed for public consultation.
2. Amendments to the document of an editorial nature prior to the public consultation period be delegated to Officers.

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36/09**

- 1. Appeal - Mr Kent - 244 Norton Road Stockton on Tees - 08/2851/FUL - ALLOWED WITH CONDITIONS**
- 2. Appeal - Peter Siddell - 7 Felton Lane Stockton on Tees - 08/3360/COU - DISMISSED**
- 3. Appeal - Miss K Gilmore - 45 Henshaw Drive Ingleby Barwick - 08/1347/FUL - DISMISSED**
- 4. Appeal - Mr M Farooq - The Rookery South View Eaglescliffe - 07/3441/FUL - ALLOWED WITH CONDITIONS**
- 5. Appeal - Mr M Hussain - 70 Yarm Road Stockton on Tees - 08/2762/FUL - DISMISSED**
- 6. Appeal - Mr David Harriman - Land between the A19 and Cheltenham Road at Portrack Business Park Stockton on Tees - 08/2559/OUT - DISMISSED**

RESOLVED that the appeals be noted.