

Planning Committee

A meeting of Planning Committee was held on Wednesday, 12th October, 2011.

Present: Cllr Robert Gibson (Chairman); Cllr Jim Beall, Cllr Mark Chatburn, Cllr Gillian Corr, Cllr John Gardner, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr David Rose, Cllr Andrew Sherris, Cllr Norma Stephenson and Cllr Mick Stoker.

Officers: C Straughan, G Archer (DNS) J Butcher, P K Bell (LD).

Also in attendance: Applicants, agents, members of the public and local students.

Apologies: Cllr Michael Smith and Cllr Steve Walmsley.

P Declarations of Interest

28/11

There were no interests declared.

P

11/2293/VARY

29/11

**Tall Trees Hotel, Worsall Road, Kirklevington
Application to vary condition 7 (phasing) of 11/0549/OUT (Outline application for executive development consisting of 62 detached dwellings and 81 apartments).**

Consideration was given to a report on a planning application to vary condition 7 (phasing) of 11/0549/OUT (Outline application for executive development consisting of 62 detached dwellings and 81 apartments) at the Tall Trees Hotel, Worsall Road, Kirklevington 11/2293/VARY.

The report outlined that planning permission was granted for executive development consisting of 62 detached dwellings and 81 apartments in June 2011.

Support was given to the application for the redevelopment of the Tall Trees site based on the delivery of a 5* prestigious hotel and conference facility and the regeneration and economic benefits the scheme would bring to the Borough and the wider area. In terms of the consent it was accepted by the Council that in order to facilitate the provision of a 5* hotel, investment from residential development would be required. As such it was considered the regeneration and economic benefits outweighed the policy objections, which would otherwise apply to the housing scheme.

In order to prevent the development of the housing exclusively of the hotel, the following condition (number 7) was imposed:-

“No work shall commence on site until a phasing plan has been submitted to and approved in writing by the Local Planning Authority to clearly illustrate corresponding phases to be undertaken between the hotel (as approved by planning permission 04/3905/EIS and associated reserved matters) and the housing hereby approved. Thereafter the development shall be undertaken in accordance with the approved phasing plan with no residential development being commenced in any subsequent phase before the previous phase has been completed and the corresponding phase of the Hotel has been completed,

unless otherwise first agreed in writing by the Local Planning Authority. No residential development shall commence until the first phase of the hotel development 04/3905/EIS (or such other permission as may be approved for the hotel development) has been implemented.

Reason: To enable the Planning Authority to retain effective control over the development”.

However the applicant had put forward a case that linked phased implementation of the hotel permission alongside the implementation of the residential development (as required by condition 7) would reduce the appeal of the housing site and significantly reduce the marketability and price of the site to the point that the land would not be saleable with the unintended consequence that the enablement objective would be frustrated. Correspondence from Knight Frank, Bellway and Bett Homes were attached to the report. In essence this was because an external purchaser such as the National Housebuilders would have to rely on a third party to undertake the works to the Hotel within set timeframes and this would be beyond the control of the developer of the residential element of the site and would therefore seek a title free of restrictions.

The applicant stated that he was in “an untenable situation in that he is committed to redeveloping the hotel but restrictions imposed by the Council will at best substantially reduce the value of the land or at worst make it a sale impossible. This will then make the redevelopment unviable and the future of the hotel and the current employees will be grim”.

It was recognised that restrictions on the consent may from the Housebuilder's perspective reduce the appeal of the housing site and reduce the value of the site, however should the development of the housing go ahead on an unrestricted basis then this runs the risk that the hotel is not delivered.

In order to arrive at a mutually acceptable programme for the redevelopment of the site the applicant had submitted this Section 73 planning application to amend Condition No 7 from outline planning consent reference 11/0549/OUT.

The applicant had proposed alternative wording for condition 7, which read as follows:-

“Work shall be carried out in accordance with the Phasing Plan drawing number 1017/010 and the related Phasing Bar Chart both referred to in the Section 106 Agreement unless otherwise first agreed in writing by the Local planning Authority”.

In conjunction with this alternative wording, a new Section 106 Agreement to include phasing was proposed. This would include additional obligations on the applicant including:-

- a. The phasing shall be carried out in accordance with drawing number 1017/010 and the related phasing schedule.
- b. Block 1 of the hotel (Phase 4) shall be commenced no later than receipt of all of the monies for the sale of the housing land.

The obligations contained in the current Section 106 Agreement will remain covering Footpath and Cycle Route Contribution (£154,000); Car Park Contribution (£100,000) and a Local Labour Agreement (Phasing Plan and Phasing Bar Chart was attached to the report).

In the opinion of the Head of Planning it was considered that revised condition together with the S106 legal agreement would allow for the Local Planning Authority to retain control over the hotel development. It was considered that there had been no material changes in the circumstances relating to the previous decision and there were no new wider fundamental policy implications arising from the details of the variation of the parent planning permission. However it was pointed out that the delivery of the Hotel would still be subject to the volatility of the economy which was clearly outside the control of the Local Planning Authority.

With regard to background to the application the report outlined that the Tall Trees Hotel originally existed as a country residence before being converted into a small hotel in the 1960's. Since this conversion the hotel had been extensively refurbished and extended to create what was a 120 bed hotel and leisure complex. The site was also once home to the Tall Trees Nightclub but this recently closed due to financial difficulties.

The Planning History for the Tall Trees site was extensive, however for the purposes of the application, only the most recent permissions for the hotel extension and 250 apartments were considered pertinent:-

04/3905/EIS Resubmission of Outline application for the erection of 250 no. apartments and hotel extension including new leisure and business centre and new means of access (demolition of existing nightclub/leisure complex/function rooms).

06/3419/REM Reserved matters application for approval of external appearance for hotel extensions and erection of 250 no. apartments.

08/0613/REM Reserved matters application for approval of landscaping of the site of planning approval.

11/0549/OUT Outline application for executive development consisting of 62 detached dwellings and 81 apartments.

The consultees that had been notified and the comments that had been received were detailed within the report.

With regard to publicity it was noted that the applicant had previously undertaken consultation in accordance with the adopted Statement of Community Involvement which involved advertisement in the press, exhibition at Tall Trees with invites to local residents, Yarm Town Council and Stockton Council Members. It concluded no fundamental objections to the proposal or issues raised.

Local residents had been individually notified of the application and advertised on site and the comments that had been received were detailed within the report.

With regard to planning policy it was noted that 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 Plan was the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP).

The planning policies that were considered to be relevant to the consideration of the application were detailed within the report.

The Planning Officer gave details of one further letter of objection had been received.

The applicant and his architect were in attendance at the meeting and were given the opportunity to make representation. They outlined that they felt condition 7 was unworkable because the linked phased implementation of the hotel permission alongside the implementation of the residential development would reduce the appeal of the housing site and significantly reduce the marketability and price of the site to the point that the land would not be saleable with the unintended consequence that the enablement objective will be frustrated. In essence this is because an external purchaser such as the National Housebuilders would have to rely on a third party to undertake the works to the Hotel within set timeframes and this would be beyond the control of the developer of the residential element of the site and would therefore seek a title free of restrictions.

Members felt that the revised condition together with the S106 legal agreement would allow for the Local Planning Authority to retain control over the hotel development.

Members considered that there had been no material changes in the circumstances relating to the previous decision and there were no new wider fundamental policy implications arising from the details of the variation of the parent planning permission.

RESOLVED that planning application 11/2293/VARY be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the following conditions and Informatives:-

In the event of the legal agreement having not been signed, or there still being outstanding matters on the 8 December 2011 that the application be refused.

HEADS OF TERMS

Phasing

That the construction of the hotel be in accordance with the Indicative Phasing plan drawing number 1017/010 and related Phasing Schedule

Footpath and Cycle Route Contribution

Prior to the Occupation of the tenth Dwelling constructed pursuant to the Permission the Owner shall pay £154,000 to the Council towards the provision of a footpath and cycle route linking the Application Site with Yarm Station

Car Park Contribution

Prior to the Occupation of the tenth Dwelling constructed pursuant to the Permission the Owner shall pay £100,000 to the Council towards the costs of providing a long-stay car park to serve Yarm Town Centre

Employment and Training

The Owner covenants with the Council as follows:

to use reasonable endeavours to ensure that ten per cent (10%) of the Jobs on the construction phase of the Development are made available to residents of the Target Area; to use reasonable endeavours to ensure that ten per cent (10%) of the total net value of the services and materials used in the construction phase of the Development are provided by Businesses within the Target Area; to take reasonable steps to procure that any contractor and/or sub-contractor nominate an individual to liaise with the Labour Market Co-ordinator; to liaise with the Labour Market Co-ordinator in order to produce the Method Statement to be submitted to the Council prior to the Commencement Date. The Method Statement shall demonstrate the reasonable steps to be taken for each Job vacancy and opportunity for services and materials to be advertised and available to individuals and Businesses within the Target Area and shall include details regarding the provision of monitoring information to be provided to the Labour Market Co-ordinator. The Owner shall not Commence Development until the Method Statement has been agreed by the Council.

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.

Plan Reference Number	Date on Plan
1017/001	9 March 2011

2. Notwithstanding the submitted information Saltergill school building shall be demolished in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority before development commences and shall be carried out in accordance with the approved details.

3. The hotel development shall be carried out in accordance with the Phasing Plan drawing number 1017/010 and the related Phasing Bar Chart both referred to in the Section 106 Agreement unless otherwise first agreed in writing by the Local Planning Authority.

4. Approval of the details of the access, appearance, layout and scale of the buildings and 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 three 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. 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.
7. The development shall be implemented in general conformity with the approved Design and Access Statement and illustrative drawing number 1017/002C submitted with the planning application unless otherwise agreed in writing by the Local Planning Authority.
8. No development shall commence until a design code setting out the comprehensive design framework for the residential dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the design code should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.
9. The total amount of residential units as authorised by this permission shall not exceed 62 dwellings and 81 apartments.
10. Before development commences details shall be submitted to and approved by the Local Planning Authority of a scheme to provide electric vehicle charging infrastructure. The electric vehicle charging infrastructure shall be in place and operational before any buildings hereby approved are occupied.
11. 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.
12. 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.
13. 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.
14. 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.

15. 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.

16. 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.

17. 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.

18. No development shall commence on site until full details of hard surfacing materials for the provision of car parking both within and without residential curtilages within the site have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.

19. 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.

20. 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.

21. 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 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. A tree schedule as detailed in Ref. 4.2.6 BS5837:2005; A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work. 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. A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.

22. 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.

23. 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.

24. No development shall take place within each phase until the details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected, changes of gradient levels on roads and footpaths within the development and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) within that phase has been 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.

25. No development shall take place within each phase until the details of all external finishing materials and gradient changes including roads and footpaths within that phase shall be agreed with the Local Planning Authority before the development is commenced.

26. 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.

27. A Construction Management Plan shall be submitted and agreed in writing, prior to the commencement of development on each phase, with the Local Planning Authority to effectively control dust, noise and other emissions due to construction operations and traffic movements to and from the site, this shall address vehicular routeing, earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements including deliveries, wheel washing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

28. In the event that contamination is found at any time when carrying out the approved development, 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 and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

29. All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

30. The residential units shall be built to Lifetime Homes Standards and achieve a minimum of Level 3 of the Code for Sustainable Homes if commenced before 1 January 2013 and thereafter a minimum of Code Level 4 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.

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

32. 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:- Confirmation of the proposed discharge rate and how it was calculated. Details of the existing drainage network and discharge location. Confirmation the proposed network operates without flooding up to the 30 year peak storm event. Confirmation that any flooding from the proposed network up to the 100 year peak storm event is retained on site at no risk to people or property. Consideration for climate change. Details of the proposed outfall to the watercourse. Details of the sustainable drainage measures to be incorporated into the design. Details of how the scheme shall be maintained and managed after completion.

33. Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the Saltergill Beck 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 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 of any footpaths, fencing, lighting etc.

34. No development shall take place unless in accordance with the mitigation detailed within the protected species report 'An Extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm,' E3 Ecology Ltd., August 2009 including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; undertaking confirming surveys as stated; adherence to precautionary working methods; provision of a bat loft.

35. All works shall be undertaken in accordance with the GCN Method Statement included at Appendix 2 of 'An Extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm,' E3 Ecology Ltd., August 2009.

36. Development shall not be commenced within each phase until the Local Planning Authority has approved in writing the details of the provision of public open space within the former Saltergill School and arrangements for the setting out of the Public Open Space for each phase by the developer, as part of the development, and such arrangements shall address and contain the following matters:-

A) The type and nature of the facilities to be provided within the Public Open Space

B) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development. 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 B) above.

37. A Stage 1 Road Safety Audit should be submitted to and agreed in writing by the Local Planning Authority with the reserved matters application. The findings of the report should be implemented as approved, unless otherwise agreed in writing with the Local Planning Authority.

INFORMATIVES

The Proposal had been considered against the policies below and it was considered that there were important material benefits arising from the high quality development and the economic benefits to the Borough and the wider area. As such it was considered they outweighed the policy objections, which would otherwise apply to the scheme.

Stockton on Tees Local Plan policies EN4 and EN13
Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS1, CS2, CS3, CS7, CS10 and CS11.
Regional Spatial Strategy (RSS) for the North East of England July 2008
Planning Policy Statements 1, 3, 4, 7, 9, 22 and 25 and Guidance Notes No 13 and 17.

**P
30/11** **Local Development Framework: Adoption Of Sustainable Design Guide
Supplementary Planning Document And Parking Provision For
Developments Supplementary Planning Document**

Consideration was given to a report on two Supplementary Planning Documents, "Parking Provision for Developments" and the "Sustainable Design Guide", had fulfilled the requirements of the relevant regulations and could progress to adoption by the Council. Following adoption, they would be made available to guide applicants for planning permission and their contents would become material considerations in deciding planning applications.

Supplementary Planning Documents (SPDs) were used to give further guidance and detail to applicants for planning permission and the wider community on policies set out in Development Plan Documents.

The Parking Provision for Developments SPD was a revision of an earlier SPD, Parking Provision in New Developments SPD which was first adopted in 2006. In addition to being one of the earliest documents adopted as part of the Local Development Framework, it also constituted a chapter of the Tees Valley Design Guide and Specification for Residential and Industrial Estate Development. The SPD had been revised and updated to reflect changes in Government guidance since the original SPD was adopted, particularly Manual for Streets (published in 2007) and its companion document, Manual for Streets 2 (published in 2010). The opportunity had also been taken to clarify and amend other minor aspects of the document and link it to the Core Strategy, particularly Policy CS2: Sustainable Transport.

The Sustainable Design Guide SPD was intended to reflect Government guidance on good design and sustainability and to provide greater detail on Policy CS3 of the Core Strategy, which aimed to reduce the environmental impacts of new developments. The main objectives of the SPD were to encourage vibrant, sustainable and inclusive communities, to promote energy efficiency and environmental sustainability and to promote high quality design standards, which had a high regard for the surrounding character of the site and create attractive places. The SPD provided advice on site selection and development settings, design principles for built development, open space and landscaping, ecology, environmental sustainability, energy generation and

renewable technologies, water efficiency and sustainable drainage, waste management, sustainable urban drainage techniques and feed in tariffs.

Both SPDs underwent public consultation from 31 January to 14 March 2011. Copies of the SPDs and a statement setting out how comments could be made (the SPD matters) were made available during normal office hours at the Council's Planning Office and at all libraries within the Borough and on the Council's website. Letters were sent to organisations and individuals included on the Council's consultation database informing them of the consultation period, the locations where the documents were available to view and the procedure for making comments. A statutory notice was also placed in the Herald and Post newspaper on 27 January 2011.

In addition, presentations were made to the Parish Council Liaison Forum and the Stockton Renaissance Local Strategic Partnership Area Boards. A short article was included in Stockton News, a community magazine published by Stockton Council and delivered to all households within the Borough and as a result of a press release issued by the Council, a short article was published in the Middlesbrough Evening Gazette.

A number of comments were received regarding each of the documents and these have been incorporated into the SPDs as appropriate. Details of the consultation responses and the Council's response had been included in two Consultation Statements which would accompany the SPDs through the adoption process.

During this consultation period, Natural England, a statutory consultee on all LDF documents, requested that a Habitats Regulations Assessment was undertaken on both the SPDs. This process, required by the EC Habitats Directive Articles 6.3 and 6.4, assesses the impact of all plans and projects on sites designated as of European importance for their nature conservation value. A screening exercise was undertaken and it was concluded that there was not likely to be significant effects on the relevant sites from the adoption of either SPD. The Habitats Regulations Screening Reports were consulted on from 11 July 2011 to 8 August 2011. Natural England confirmed the Council's conclusions and accordingly, a full appropriate assessment, under the Conservation of Habitats and Species Regulations 2010 was not undertaken.

Copies of both SPDs, their Consultation Statements and Habitats Regulations Assessment Screening Reports were available in the Members' Library and on the Electronic Members' Library (accessible through the Council Intranet).

Once adopted, the SPDs would be made available to members of the public and used in the determination of planning applications.

RESOLVED that the report be noted.

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31/11 **Local Development Framework Steering Group Minutes**

The minutes from the Local Development Framework Steering Group held on 14th June 2011 were noted.

P **Local Development Framework Steering Group Minutes**
32/11

The minutes from the Local Development Framework Steering Group held on 12th July 2011 were noted.

- P** **1. Appeal - Harewood Group - Former Zanzibar Nightclub 89-91 High Street**
33/11 **Stockton - 11/0342/ADV - DISMISSED**
2. Appeal - Mr J Duell - High Middlefield Farm Durham Road Stockton -
10/0136/FUL - DISMISSED

RESOLVED that the appeals be noted.