

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 8th February, 2012.

**Present:** Cllr Robert Gibson (Chair); Cllr Jim Beall, Cllr Mark Chatburn, Cllr Gillian Corr, Cllr John Gardner, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ray McCall (Vice Cllr Michael Smith), Cllr David Rose, Cllr Andrew Sherris, Cllr Norma Stephenson, Cllr Mick Stoker and Cllr Steve Walmsley.

**Officers:** R McGuckin, C Straughan, G Archer, S Grundy, J Roberts, P Shovlin, J Hutchinson (DNS); J Butcher, P K Bell (LD).

**Also in attendance:** Applicants, agents, Cllr Ian Dalgarno and members of the public.

**Apologies:** Cllr Jean Kirby and Cllr Michael Smith.

### **P Appointment of Vice Chair**

**64/11**

RESOLVED that Councillor Norma Stephenson be appointed Vice Chair for this meeting only.

### **P Declarations of Interest**

**65/11**

Councillor Gibson declared a personal prejudicial interest in respect of agenda item 4 - 11/2971/FUL - Talbot Street, Portrack and Tilery, Stockton-On-Tees - Erection of two and three storey academy building on the former Tilery Sports Centre site. Development to include 1,050 place academy building with integrated myplace community facility with associated external spaces due to his involvement with Know How North East and their potential involvement with MyPlace.

Councillor Beall declared a personal prejudicial interest in respect of agenda item 4 - 11/2971/FUL - Talbot Street, Portrack and Tilery, Stockton-On-Tees - Erection of two and three storey academy building on the former Tilery Sports Centre site. Development to include 1,050 place academy building with integrated myplace community facility with associated external spaces as he was the Chair of Eastern Ravens Trust which had an interest in MyPlace.

Councillor Kirton declared personal prejudicial interest in respect of agenda item 4 - 11/2971/FUL - Talbot Street, Portrack and Tilery, Stockton-On-Tees - Erection of two and three storey academy building on the former Tilery Sports Centre site. Development to include 1,050 place academy building with integrated myplace community facility with associated external spaces due to his involvement with Cornerhouse and their potential involvement with MyPlace.

Councillor Rose declared a personal non prejudicial interest in respect of agenda item 4 - 11/2971/FUL - Talbot Street, Portrack and Tilery, Stockton-On-Tees - Erection of two and three storey academy building on the former Tilery Sports Centre site. Development to include 1,050 place academy building with integrated myplace community facility with associated external spaces as he was a member of the Northumbria Regional Flood and Coastal Committee of the Environment Agency who had made a representation on the application.

**P 11/2909/FUL**

**66/11 Springs Leisure Centre, Haydock Park Road, Teesside Shopping Park  
Construction of a 66-bed Travelodge, Nandos Restaurant and Harvester  
Restaurant (Use Class A3) with associated car parking.**

Consideration was given to a report on planning application 11/2909/FUL - Springs Leisure Centre, Haydock Park Road, Teesside Shopping Park - Construction of a 66-bed Travelodge, Nandos Restaurant and Harvester Restaurant (Use Class A3) with associated car parking.

The application site was situated within the wider Teesside Park development that incorporated a mix of leisure and retail uses. The site was situated to the north of the retail park and lay within an area consisting mainly of restaurants and food outlets. The A66 was set well below the site and due to the highway infrastructure the site itself was largely set below road level.

Two previous applications had been submitted for development on the site similar to that proposed. The first was withdrawn in 2010 (app ref 10/1533/FUL) following concerns that the Local Planning Authority had regarding the development. A revised application (app ref 10/2762/REV) was then submitted with Members of Planning Committee refusing the application due to the proposed development relating to town centre uses in an out of town location and due to the unsustainable location of the site with limited opportunities for more sustainable methods of transport such as walking and cycling. No appeal was lodged against this decision.

Planning permission was sought for 3 separate buildings for the purposes of a Travel lodge hotel and 2 restaurants with the demolition of the former Springs Leisure Club building. All of the buildings would have an individual style and contemporary design. The additional information had also been considered to try and address the previous reasons for refusal.

Notwithstanding the additional information supplied with the planning application, significant concerns remained regarding the proposed development in terms of planning policy, the impact on Stockton Town Centre and the Council's regeneration aims, including the committed twenty million pounds of expenditure within the Town Centre. Whilst it was also recognised that the proposed development may have some regeneration benefits in terms of investment, physical regeneration and job creation, it was not considered that this was sufficient enough to outweigh these concerns. The site was also considered to remain unsustainable given the site's remote, out-of-town location. Patrons were therefore unlikely to walk, cycle or use public transport to travel to the site.

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

Neighbours had been notified and the application had been publicised in by a site notice and in the local press. 2 letters of support had been received in relation to the application.

With regard to 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 should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan (STLP).

Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with a planning application, the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations”.

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

The Planning Officers report concluded that significant concerns remained regarding the proposed development in terms of planning policy, the impact on Stockton Town Centre and the Council's regeneration aims. Whilst it was recognised that the proposed development may have some regeneration benefits in terms of investment, physical regeneration and job creation, it was not considered that this sufficiently outweighed the harm that could be caused to Stockton Town Centre or current regeneration initiatives.

The scheme would provide few opportunities for linked trips, which did not involve use of the private car and given the site's remote, out-of-town location residents of, or visitors to the Borough were unlikely to walk, cycle or use public transport to travel to the site. In view of these additional comments the reasons for refusal on planning policy and sustainability grounds remained.

On this basis the proposed development was considered contrary to policies CS2 and CS5 of the Core Strategy, Policy S2 of the Local Plan Alteration and National Planning Guidance and was consequently recommended for refusal as there were no other material planning considerations that sufficiently outweighed the above planning policy concerns and considerations.

Members were presented with an update report that outlined that one additional letter of support had been received along with three letters from the individual operators of the proposed development. The letters were set out in the report or attached to the update report as appendices.

No new issues had been raised and the recommendation and all material planning considerations remained as outlined in the original report.

The agent for the application was in attendance at the meeting and was given the opportunity to speak in favour of the application. The agent made the following comments:-

- \* A local MP had asked for something to be done to the site
- \* The scheme would create local jobs
- \* There would be a boost for the local economy
- \* The site was not isolated

- \* The application was not about creating a new Teesside Park but working with something that is already there
- \* The North Shore development was struggling
- \* The Swallow Hotel was not available and is not considered to be appropriate for budget accommodation
- \* Car drivers already use Teesside Park and the scheme will not generate anymore traffic
- \* The site had previously been used for a gym and this application would generate less traffic

A rate payer and Councillor Ian Dalgarno (Chair of Thornaby Town Council) were in attendance at the meeting and spoke in favour of the application. Their comments could be summarised as follows:-

- \* The public were dismayed at the Committee's previous decision for the site
- \* Travel Lodge had carried out detailed research and this site was the only site locally that they would consider to be appropriate for a Travel Lodge
- \* This was not a remote site and is accessible by cars
- \* 60 jobs would be created locally
- \* This second opportunity should not be missed
- \* If this second application is refused it will send out a message that the Council is not interested in any sort of investment in the area
- \* This is a derelict site and something has to be done with it
- \* It will have no effect on the regeneration of Stockton High Street

Members then discussed the application at length and spoke both in favour of the application and against the application. Their comments could be summarised as follows:-

- \* A similar application should not have been refused last time
- \* The site needs to be brought back into use
- \* If the application was refused it would not help the economic recovery
- \* The applicant will go elsewhere out of the Borough
- \* Portrack Lane and Preston Farm are not a viable option for the applicant
- \* You cannot compel business to invest where they do not want to
- \* Much needed jobs for the area would be created
- \* The application was not much different from the last application that was refused and therefore this application should be refused on the same grounds
- \* There were polices in place and the Committee should adhere to them and refuse the application
- \* There was a regeneration plan for Stockton High Street and approval of the application would be detrimental to that plan
- \* The site should be landscaped to stop the site being an eyesore

A vote then took place and the application was refused.

RESOLVED that planning application 11/2909/FUL be refused for the following reasons:-

1. In the opinion of the Local Planning Authority, the proposed development relates to Town Centre Uses within an Out of Town location and it has not been adequately demonstrated that the proposed use cannot be provided within either the defined centres within Stockton Borough or within an edge of centre

location. The proposal is therefore considered to be contrary to Core Strategy policy CS5, saved Policy S2 of the adopted Stockton on Tees Local Plan and guidance of PPS1: Delivering sustainable development, PPS4: Planning for sustainable economic growth; and PPG13: Transport.

2. In the opinion of the Local Planning Authority the proposed use would be in an unsustainable location and it would place a high reliance on the private motor car taking into account the limited provision of bus services and suitability and attractiveness of the surrounding highway network for walking and cycling, thereby being contrary to Core Strategy policy CS2(1) and the guidance within PPS1: Delivering sustainable development and PPG13: Transport.

**P  
67/11**

**11/2971/FUL**

**Talbot Street, Portrack and Tilery, Stockton-On-Tees**

**Erection of two and three storey academy building on the former Tilery Sports Centre site. Development to include 1,050 place academy building with integrated myplace community facility with associated external spaces.**

Consideration was given to a report on planning application 11/2971/FUL - Talbot Street, Portrack and Tilery, Stockton-On-Tees -Erection of two and three storey academy building on the former Tilery Sports Centre site. Development to include 1,050 place academy building with integrated myplace community facility with associated external spaces.

The application sought full planning permission for a new academy for 1,050 pupils aged 11-18, with new sports facilities and an all weather 11-a-side flood lit pitch and a Youth Centre (Myplace) to support the wider learning community and targeted at 14-19 year olds on the former Tilery Sports Centre Site off Norton Road and Talbot Street.

The North Shore Health Academy (NSHA) was being delivered through the Academies Framework, a national government programme that sought to replace or construct new schools that had elected to become academies throughout England. Stockton Borough Council had formed a partnership with Redcar and Cleveland Council for the delivery of three academies, NSHA, Thornaby Academy and Freebrough Academy in Redcar.

NSHA was formed in 2010 with the merger of two former schools, Blakeston and Norton.

Community consultation through a public exhibition on 17th November 2011 had been carried out in relation to the proposed redevelopment of the site and the comments received helped shape the submission of the planning application for the Academy layout and design.

The proposal was considered to be in line with general planning policies set out in the Development Plan.

The site fell within Flood Zone 3 with a need to demonstrate any flood risk associated with the proposed development can be satisfactorily managed and the Environment Agency was at the time of publication of the report examining

the proposal. The Planning Officer reported that he had now got the comments from the Environment Agency and they raised no objections to the application subject to the relevant conditions.

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

Public consultation regarding both the needs and views of the redevelopment has been undertaken through a public exhibition dated 17 November 2011 where the project team listened to the views of members of the public and discussed ideas. No major issues were raised at this session and the applicant has indicated that they will continue to consult with the community as the design progresses.

With regard to publicity neighbours had been notified and the comments that had been received were detailed within the report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions should 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 saved policies of the Stockton on Tees Local Plan (STLP)

Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with planning applications, that authority should have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

The Planning Officer updated Members that to reflect the fact that the development would be carried out in a phased building programme the wording of the conditions had been amended to allow for the discharge of the conditions relevant to the corresponding phase.

The Planning Officers report concluded that overall the nature and scale of the development was acceptable and parking provision and access was satisfactory. It was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and did not conflict with policies in the Development Plan.

An objector was in attendance at the meeting and was given the opportunity to make representation. His objections could be summarised as follows:-

- \* Tilery was a cul-de-sac and therefore the development would cause traffic problems
- \* The emergency services would struggle to reach the development quickly if

they were ever needed

\* Widening Norton Road is not a solution and would need a junction

\* the development is in the wrong location

Members were then given the opportunity to make comments.

A vote took place and the application was approved.

RESOLVED that planning application 11/2971/FUL be approved subject to the following conditions and informatives:-

1. The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
D054.L.114	24 November 2011
2441-200-02	24 November 2011
2441-200-03	24 November 2011
2441-300-01	24 November 2011
2441-300-02	24 November 2011
2441-300-03	24 November 2011
2441-300-05	24 November 2011
2441-350-01	24 November 2011
2441-350-02	24 November 2011
2441-370-01	24 November 2011
2441-370-02	24 November 2011
2441-370-03	24 November 2011
D054.L.131 REV A	18 January 2012
D054.L.110 REV D	18 January 2012
D054.L.111 REV 05	18 January 2012

2. Notwithstanding any description of the materials in the application the external walls and roofs shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) have been approved in writing by the Local Planning Authority.

3. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no hard landscaping works (excluding base course for access roads and carpark) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

4. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans prior to commencement of foundations and piling, 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.

5. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to commencement of the erection of any permanent fencing, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

6. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans prior to the commencement of installation of street furniture details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such street furniture as agreed shall be erected before the development hereby approved is occupied.

7. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans full details of the method of external illumination, siting, angle of alignment; light colour, luminance of buildings facades and external areas of the site, including parking courts and pitches, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of external lighting and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

8. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to commencement of soft landscaping works 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 commencement of the development or agreed phases 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.

9. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans all trees on site and within 10m of its external boundary shall be indicated on the 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, be completed prior to commencement of foundation works 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 and all root protection areas.

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 to trees within the Academy boundary.

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.

Details of any statutory of domestic services shall be designed in accordance with Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007

10. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans all trees indicated for retention shall be retained and maintained for a minimum period of 25 years from practical completion of the development. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of 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 must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority

11. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005 and Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007) 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), which is available upon request.

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.

Any works the applicant wishes to carry out within the root protection area of any protected tree on site must be agreed by the Local Planning Authority.

12. A Construction Method Statement shall be submitted and agreed in writing, prior to the commencement of the development with the Local Planning Authority to effectively control any potential adverse impact of the development on the amenity of the public and nearby occupiers. This shall address off adopted highway road parking of vehicles of site personnel and visitors; Delivery and storage of plant and materials; Siting and design of temporary buildings; Scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies; Details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded. Scheme to control mud on roads.

13. Notwithstanding the proposals detailed in the Design and Access

Statement/ submitted plans, 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 development or approved phases.

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 from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

14. All construction operations including delivery of materials on site shall be restricted to 8.00 a.m and 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working unless otherwise agreed in writing by the Local Planning Authority.

15. The detailed design and materials of the PE store shed and Bin Store shall be agreed with the Local Planning Authority before the PE store shed and Bin Store development is commenced and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

16. A School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the Academy building. The Travel Plan shall establish clear targets and procedures for monitoring and review of such targets, and any appropriate requisite infrastructure improvements and implementation timetable shall be agreed by the Local Planning Authority. The Travel Plan shall be implemented as approved.

17. 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 accordance with Non-statutory guidance for site waste management plans April 2008 [DEFRA]. Thereafter, the site waste management plan shall be updated and implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

18. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans any development approved by this permission shall have, prior to commencement of works on foundations and piling, a scheme for the provision of surface water drainage works including flow attenuation and details of maintenance arrangements for the life of the development approved in writing by the Local Planning Authority. The scheme shall be implemented before the construction of the impermeable surfaces draining to this system.”

19. 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. Prior to foundations and piling an energy strategy shall be submitted to and agreed in writing by the Local Planning Authority. 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.

20. The development must obtain at least a very good Building Research Establishment Environment Assessment Method (BREEAM) rating if commenced before 1 January 2013 and a minimum rating of excellent if commenced after that date within 6 months of occupation.

21. 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.

22. All generators for site plant, welfare and lighting should be subject to a noise assessment by a competent Noise Consultant to ensure that it shall not increase background levels of noise at the nearest residential premises, particularly overnight when background levels are low. Before the generator is brought into use the generator, if found necessary, shall be insulated against the emission of noise in accordance with a scheme to be approved by the Local Planning Authority. Such noise insulation shall be thereafter maintained to the satisfaction of the Local Planning Authority.

23. Prior to commencement of works to the playing fields details of the design and layout of details of the floodlighting, construction, surfacing, line marking, and means of enclosure of the proposed Synthetic Turf Pitch (STP) and Multi-Use Games Area (MUGA) shall be submitted to and approved in writing by the LPA. The STP and MUGA shall be constructed in accordance with the approved detail.

24. Prior to commencement of works to the playing fields:-

(i) A detailed assessment of ground conditions of the land proposed for the playing pitches as shown on drawing number D054.L.111 Rev:04 shall be undertaken (including drainage and topography) to identify constraints which could affect playing pitch quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will

be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority.

25. Prior to occupation a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review of the Academy facilities. The approved Scheme shall be implemented upon commencement of use of the development.

26. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) ref no. 5107150/60/DG/222 dated 16 December 2012 produced by Atkins, and the FRA Addendum dated 26 Jan 2012 and the following mitigation measures detailed within the FRA:-

1. Finished floor levels are set no lower than 5.1m above Ordnance Datum (AOD)

2. Flood-proofing measures detailed in Section 6 of the FRA Addendum are incorporated into the development.

3. The provision for safe route(s) into and out of the site above the climate change flood level.

27. The development hereby permitted shall not be commenced until such time as a scheme for surface water management has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

28. The development hereby permitted shall not be commenced until such time as a scheme for emergency evacuation has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

## INFORMATIVES

The Proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the overall nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours and is acceptable in terms of highway safety and there are no other material considerations, which indicate a decision, should be otherwise.

Stockton on Tees Local Plan Policy REC1 – Outdoor Playing Space  
Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel  
Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change  
Core Strategy Policy 6 (CS6) – Community Facilities  
Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement  
Supplementary Planning Document 3: Parking Provision for New Developments  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 9: Biodiversity and Geological conservation  
Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation  
Planning Policy Guidance 13: Transport  
Planning Policy Statement 23: Planning and Pollution Control  
Planning Policy Guidance 24: Planning and Noise  
Planning Policy Statement 25: Development and Flood Risk

The following works are not allowed under any circumstances:

No work shall commence until the approved Tree Protection Barriers are erected.

No equipment, signage, structures, barriers, materials, components, vehicles or machinery shall be attached to or supported by a retained tree.

No fires shall be lit or allowed to burn within 10 metres of the canopy spread of a tree or within the Root Protection Zone.

No materials shall be stored or machinery or vehicles parked within the Root Protection Zone.

No mixing of cement or use of other materials or substances shall take place within the Root Protection Zone or within such proximity where seepage or displacement of those materials or substances could cause them to enter the Root Protection Zone.

No unauthorised trenches shall be dug within the Root Protection Zone.

No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

(Councillors Beall, Gibson and Kirton all declared personal prejudicial interests in respect of the above item and all withdrew from the meeting and left the room.)

(Councillor Norma Stephenson was in the Chair for consideration of the above item.)

**P**      **Local Development Framework Steering Group Minutes**  
**68/11**

The minutes from the Local Development Framework Steering Group held on 15th November 2011 were noted.