

DELEGATED

AGENDA NO 4

PLANNING COMMITTEE

9 May 2012

REPORT OF CORPORATE DIRECTOR,  
DEVELOPMENT AND NEIGHBOURHOOD  
SERVICES

11/2842/EIS

Allens West, Durham Lane, Eaglescliffe

Outline application for the erection of a residential development comprising 845 no dwellings (Class C3) and a 60 no. Bed Care Home (Class C2) with associated retail, creche and community facilities, landscaping, roads, parking and infrastructure.

Expiry Date: 14 February 2012

#### UPDATE REPORT

##### SUMMARY

1. This report updates the report for agenda item 4.

##### Highways Agency Response

2. A consultation response from the Highways Agency has been received and the Agency has no objection in principle to the development subject to a condition relating to the now agreed Residential Travel Plan.

Following this response the recommendation should now read:

***It is recommended that the application 11/2842/EIS be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the following condition(s) and informative(s)***

3. It is recommended that the following condition in respect of the Travel Plan be agreed should the application be approved.

***The approved Travel Plan as set out in the document – (JN0461-Rep-0003.4 Residential Travel Plan, Final Revision B, 5 May 2012 prepared by SAJ Transport Consultants) shall be implemented in full in accordance with the timetable and measures, advice and recommendations contained within the document.***

***Reason: In the interests of reducing the traffic impact of the development on the A66 at its junctions to ensure that the A66 continues to fulfil its purpose as part of a national system of routes of through traffic, in accordance with section (2) of the Highways Act 1980.***

4. Condition 2, as currently worded would require the applicant to submit all reserved matters within a three year period but given the scale of the development and the anticipated phased construction and completion anticipated over a 13-17 year period, it is considered reasonable to extend the period to a 10 year period as follows:

***Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this permission.***

***Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.***

5. Heads of Terms number 5 makes reference to a travel plan incentive payment of £85,000 on occupation of each phase of the development. For the avoidance of doubt this payment is over the lifetime of the development and should read as follows:

***5. Submit a Travel Plan for approval by the Council including a proposal to ensure the appointment of a Travel Plan Manager and pay a commuted lump sum of £215,000 to cover the costs of the implementation of the measures contained within the Travel Plan. Such measures shall include; management and specific monitoring of targets and objectives and to establish an appropriate forum who will continue the Travel Plan beyond the initial 10 year funding period. Additional measures include the provision of a car club (£50,000 on occupation of 150<sup>th</sup> dwelling), travel plan incentive payments (£85,000 over the lifetime of the development). The Travel Plan Manager will be responsible for the production and implementation of the approved Travel Plan for a period of 10 years from first occupation.***

6. Heads of Terms number 8 has also been amended to reflect that although estimated costs have been identified it will be the actual costs that will be paid and should read as follows:

***8. The Developer will enter into a S278 Highways Act Agreement for off-site highway works to improve the A67/Durham Lane/Tesco roundabout junction, Elton Interchange and South View A67 Junction. The estimated cost for these works are £21,117, £63,100 and £15,000 respectively and the actual costs will be paid on SBC receiving the tenders.***

## CONCLUSION

It is recommended that the above changes be agreed should the application be approved.

**Corporate Director of Development and Neighbourhood Services  
Contact Officer Mr Gregory Archer Telephone No 01642 526052**

## **WARD AND WARD COUNCILLORS**

**Ward Eaglescliffe  
Ward Councillor Councillor A L Lewis**

**Ward Eaglescliffe  
Ward Councillor Councillor Mrs M. Rigg**

**Ward Eaglescliffe  
Ward Councillor Councillor Phillip Dennis**

## **IMPLICATIONS**

### **Financial Implications:**

As Report

### **Environmental Implications:**

As Report

### **Human Rights Implications:**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

### **Community Safety Implications:**

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

### **Background Papers**

The Town and Country Planning Act 1990.

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document : Open Space, Recreation and Landscaping

Supplementary Planning Document 6 : Planning Obligations

Planning Application number 08/0567/EIS