

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 12th September, 2012.

**Present:** Cllr Robert Gibson (Chair); Cllr Carol Clark (Vice Cllr David Rose), Cllr Michael Clark (Vice Cllr Jim Beall), Cllr Gillian Corr, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ray McCall (Vice Cllr Michael Smith), Cllr Andrew Sherris, Cllr Norma Stephenson and Cllr Steve Walmsley.

**Officers:** R McGuckin, J Roberts, B Jackson, G Archer, A Glossop, S Grundy(DNS); J Butcher, P K Bell (LD).

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

**Apologies:** Cllr Jim Beall, Cllr Mark Chatburn, Cllr John Gardner, Cllr David Rose, Cllr Michael Smith and Cllr Mick Stoker.

**P**        **Declarations of Interest**

**50/12**

There were no interests declared.

**P**        **Evacuation Plans**

**51/12**

The evacuation plan was noted.

**P**        **Minutes**

**52/12**

The minutes of the meeting held on 8th August 2012 were confirmed and signed by the Chair as a correct record.

**P**        **12/0561/FUL**

**53/12**

**The Garth, Coal Lane, Wolviston  
Demolition of existing bungalow and erection of three new dwellings**

Prior to the meeting Members visited the site.

Consideration was given to a report on planning application 12/0561/FUL - The Garth, Coal Lane, Wolviston - Demolition of existing bungalow and erection of three new dwellings.

The planning application was considered at the Planning Committee meeting on 22nd August 2012 when Members resolved to defer consideration to enable a site visit to take place.

Planning permission was sought for the erection of three dwellings to replace an existing bungalow. The proposed scheme provided each dwelling with a rear garden and 2 off street parking spaces. A number of objections had been received mainly relating to the over development of the site, the impact of traffic and associated movements and the impact on privacy and amenity associated with surrounding premises.

The scheme would provide a reduction in ground levels and finished floor levels to those currently on site although would replace the existing bungalow with 2 storey housing. The additional bulk and mass was considered to fit within the

site and in view of intervening distances between properties, angles of view and site level changes, it was considered that the impact on privacy and amenity would not be sufficiently significant to warrant refusal of the application.

The Head of Technical Services considered there to be adequate provision of parking and that there would be no undue impact on highway safety. Conditions were recommended in order to further control ground levels, the provision of a connecting footpath to the front of the site, a front boundary treatment and a landscaping scheme.

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

With regard to publicity neighbours had been notified and the comments that had been received were summarised 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 required 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.

Section 143 of the Localism Act came into force on the 15 January 2012 and required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the 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 Officers report concluded that the proposed development of the existing residential plot within the defined limits of development for a sustainable village was considered to be in accordance with the principles of planning policy. Although the scheme would increase the mass of built form on site and would be likely to intensify the overall use of the site, in view of the intervening distances, levels between properties, limited openings at first floor level and the reduction in levels to both the dwellings floor level and the rear garden, it was considered that the impact on privacy and amenity for surrounding residents would not be significantly detrimental and would generally comply with saved Local Plan Policy HO3. Adequate access and parking was provided and it was considered that the proposed development, subject to condition would not unduly affect highway safety. In view of all the matters detailed within the report, it was recommended that the application be approved with Conditions for the reasons specified above.

Members were presented with an update report that outlined the revised comments of the Head of Technical Services, the provision of a bin store for the central property which had no rear garden access and the matter of drainage to

serve the site.

The agent for the application was in attendance at the meeting and outlined that all of his comments had been addressed in the Planning Officers report.

Objectors were in attendance at the meeting and were given the opportunity to make representation. Their comments could be summarised as follows:-

- \* The development is an overdevelopment of the site
- \* The former owner of the site would be against the development
- \* The development may cause traffic problems on the corner of Coal Lane
- \* Access to the application details on line had been difficult
- \* The sewage system will be over burdened
- \* The rear windows are unacceptable
- \* The footpath that is required would be on an objectors property
- \* Cars will have to reverse out of their drives on to Coal Lane

The Head of Technical Services reported that the piece of land for the footpath is adopted highway and reversing off driveways is done in many locations.

Members felt that following the site visit their concerns had been alleviated. A Member asked about car parking provision and if the bin store in the central property could be located at the back of the property and not the front.

The Head of Technical Services reported that the development was in accordance with SPD3 Parking Provision and due to access it was not possible to locate the bin store to the rear of the central property.

A vote then took place and the application was approved.

RESOLVED that planning application 12/0561/FUL be approved subject to the following conditions and informatives:-

#### 1. Approved Plans

The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date on Plan
901_A	12 June 2012
005_B	12 June 2012
110_A	12 June 2012
111_A	12 June 2012
210_A	12 June 2012
003_F	18 July 2012

#### 2. Materials

Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings 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.

### 3. Footpath provision

The commencement of the development hereby approved shall not begin until the Local Planning Authority has approved in writing a full scheme of works for the provision of a footpath running between the highway and the residential curtilage boundaries which joins with the existing footpaths to the north and south of the site. The scheme shall detail the mechanism for the footpath to be provided at the applicant's expense. The development hereby approved shall not be occupied until the approved works have been completed and have been certified in writing as complete by the Local Planning Authority unless alternative arrangements to secure the specified works have been approved in writing by the Local Planning Authority.

### 4. Front Boundary Treatment

No development hereby approved shall commence until there has been submitted to and approved in writing by the Local Planning Authority precise details of the proposed treatments to the roadside curtilage boundary. The development shall be undertaken in accordance with the approved scheme.

### 5. Levels scheme for rear garden

Notwithstanding the proposed levels detailed within the application, the development hereby approved shall not commence until a scheme of levels has been submitted to and approved in writing with the local planning authority. The scheme shall detail the existing levels, as well as proposed levels across the site, at boundary points and across rear gardens in order to demonstrate the finished site contours.

### 6. Tree Protection scheme

No development hereby approved, including any preparatory works to the ground, shall commence until a scheme for the protection of trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the precise location of protective fences, areas of material storage within the site and root protection zones. The approved scheme of protection shall be implemented on site prior to construction works commencing on site and shall be maintained throughout the period of construction.

### 7. Landscaping scheme

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a landscaping scheme.

Such a scheme shall detail the following;

- a) Areas of soft landscaping including plant species, numbers, densities, locations, and sizes, planting methods, maintenance and management.
- b) Hard landscaping throughout the site,
- c) Areas of landscaping to be retained and a scheme for their protection, and
- d) Excavations required for service runs.

The development shall be carried out in accordance with the approved details. Planting works shall be carried out during the first planting and seeding season following the substantial completion of the development.

### 8. Minimise energy consumption

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.

#### 9. Construction Working Hours

No construction/building works or construction related deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

#### 10. Burning of waste

During the construction phase of the development there shall be no open burning of waste on the site.

#### 11. Removal of PD Rights - All Householder

Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings erected within the curtilage without the written approval of the Local Planning Authority.

#### 12. Bin Store

The central property within the terrace hereby approved shall not be occupied until a bin store has been provided to the front of the property in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

#### 13. Planting restriction to frontages

There shall be no planting within 2m of the sites front boundary adjacent to the footway as required by condition, greater than 0.6m in height above the level of adjacent driveways hereby approved. The height of landscaping shall be limited by this condition in perpetuity.

### INFORMATIVE OF REASON FOR PLANNING APPROVAL

#### Informative 1: Summary of reasons and policies

The proposed scheme has been considered against the policies and documents identified below and is considered to be of a suitable scale, mass and design for the area taking into account the existing mix, character and appearance of surrounding development. Adequate access and parking have been provided and it is considered that the proposed development would not unduly compromise the amenity or privacy of surrounding properties as a result of the precise relationship of elevations and windows within the buildings and the distance between opposing elevations. There are no other material considerations which suggest the application should be determined otherwise.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

Core Strategy Policy 7 (CS7) - Housing Distribution and Phasing

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

Core Strategy Policy 11 (CS11) - Planning Obligations

## Local Plan Policy HO3 - Housing

### Informative 2: Northern Gas Networks

Northern Gas Networks have advised that there may be gas apparatus in the area and that the developer contact them to discuss this. Contact details given are as follows;

Sandra Collett

Network Records Assistant

0845 6340508 (option 6)

**P  
54/12**

**12/1537/COU**

**Leven Camp, Low Lane, High Leven**

**Proposed residential caravan site consisting of 34 chalets.**

Consideration was given to a report on planning application 12/1537/COU - Leven Camp, Low Lane, High Leven - Proposed residential caravan site consisting of 34 chalets.

The application site lay within the Leven Valley and to the immediate south-west of Ingleby Barwick. The site sloped steeply down toward the River Leven (in the north-south plane) with a more gradual slope also occurring (in the west-east plane). The site was accessed off Leven Bank Road, with the highway running past the neighbouring property, Meadowbrae and the entering the site adjacent to Leven Bridge Mill.

The application site previous operated as a seasonal chalet site and was often referred to as the "Leven camp" or "Leven Hutments". It was understood that the site was first developed in the inter-war period. As a result of the 1960 Caravan Licensing Act all camping and Caravan site required planning permission. Consequently on 1st February 1961, planning permission was granted for the use of the site for 80 seasonal chalets and caravans. Following a long period of inactivity and use the site became vacant with many of the chalets falling into serious disrepair, However, in 2007 two applications for a certificate of lawfulness (ref 07/0865/CPE & 08/3573/CPE) were both refused by the Council and following several appeals and then challenges in the High Court a decision by the High Court Judge was made that the 1961 permission remained valid.

Planning permission was sought for a change of use of the land to a residential caravan site consisting of 34 chalets. The submitted site plan detailed the provision of the chalet positioned across the site along with parking spaces and the access road serving the development.

Although the proposed development did not strictly accord with the development plan and it's adopted planning guidance there was an extant permission for 80 seasonal chalets and caravans. The proposed change of use resulted in a reduced form of development and as a result it was considered that the benefit to the landscape setting and highway network would be sufficient to outweigh any conflict with planning policy guidance. The proposed indicative chalets were considered to be visually acceptable and subject to appropriate conditions including landscaping to soften the development and the chalets were

considered unlikely to have any significant impacts on surrounding residents in terms of appearing overbearing or causing a significant loss of privacy.

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

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

With regard to planning policy 14 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 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.

Section 143 of the Localism Act came into force on the 15 January 2012 and required 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 such an application [planning application] the 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.

Members were presented with an update report that outlined that additional comments had been received from the Ingleby Barwick Ward Councillors and Ingleby Barwick Town Council. All recommendations and material planning considerations remained as set out in the original report.

Members then discussed the application and their comments could be summarised as follows:-

- \* Road safety will be a problem at Leven Bank
- \* The high court decision and the extant permission must be taken into account
- \* What building materials will be used?
- \* How will the refuse collection take place?
- \* Concern over the large construction vehicles and the routes that they will take

The Planning Officer outlined that:-

- \* The chalets will be pre-fabricated
- \* There are no details of the refuse collection yet
- \* There are no details of the construction vehicles but a condition could be put in.

A vote then took place and the application was approved. Members also asked that details of the condition requiring details of the construction vehicles and the routes they will take be brought to the next meeting of the Planning Committee for their information.

RESOLVED that planning application 12/1537/COU be approved subject to the following conditions and informative(s):-

Approved plans;

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

Plan Reference Number	Date on Plan
5186/C/02 A	30 July 2012
5186/C/01	22 June 2012

Landscaping;

2. A detailed scheme for a phased programme landscaping including tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is occupied. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas across the site and detail a phased programme for implementation of the agreed landscaping scheme. The works shall be carried out in the first planting and seeding season following the occupation of the chalet or the completion of each phase of the development whichever is the sooner. Any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation

Landscape Maintenance;

3. Prior to occupation of the hereby approved development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and be carried out in accordance with the approved schedule.

Means of Enclosure

4. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development is commenced. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

Construction Activity;

5. No construction activity or deliveries shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 8.00 am – 1 pm Saturday and nor at any time on Sunday's or Bank Holiday's.

Foul Drainage/ Septic tank

6. The applicant shall satisfy the Local Planning Authority (LPA) of the adequacy of the proposed means of drainage prior to the development commencing. Any septic tank to be employed shall be built in accordance to BS 6297 1983 and shall discharge over a biological filter unit, the final effluent from which shall be discharged in a manner approved by the Environment Agency and the Building Control Officer. Full details of the size and manner of



construction of the septic tank shall be agreed in writing with the Local Planning Authority prior to development commencing. The proposed development shall not commence until a trial hole has been excavated in the region of any proposed new outfall and reveals to the satisfaction of the Local Planning Authority the adequacy of the subsoil drainage in the regions of the proposed outlet, otherwise drainage to a cesspool will be required. Suitable access shall be maintained for the regular emptying of any septic tank or cesspool. Any septic tank shall be desludged at not less than 12 monthly intervals

#### Light Intrusion

7. Adequate screening shall be provided to protect residential properties from light intrusion from the development. The lighting provided shall be arranged so as not to shine directly towards any dwelling and shall be shielded to prevent light spillage beyond the boundary of the property.

#### Refuse collection;

8. Notwithstanding any information contained within this application full details of the methods of refuse / recycling collection and any bin storage facilities shall be submitted to and agreed in writing with the Local Planning Authority before the hereby approved development is occupied.

#### Open burning;

9. No waste products derived as a result of carrying out the business hereby approved shall be burned on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

#### Removal of PD Rights - All Householder

10. Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

#### Removal of PD rights – Means of Enclosure

11. Notwithstanding the provisions of class A Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order), the building hereby approved shall not erect any means of enclosure within the curtilage of the property without the written approval of the Local Planning Authority.

#### 12. Construction/Traffic management plan;

A traffic and construction management plan for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any chalets being brought onto site. Such a scheme shall include details of routes and delivery times that HGVs will be permitted to use in the vicinity of the site and wheel washing facilities to ensure that no mud or debris is carried onto the highway. The agreed scheme shall be implemented in accordance with the agreed details.

## INFORMATIVE OF REASON FOR PLANNING APPROVAL

### Summary Reasons and Policies

The proposed development will introduce a development of a residential nature onto the site. Whilst contrary to elements of the policies below, there is a significant material planning consideration as a result of the extant planning permission for 80 seasonal caravans and chalets. This application would result in a reduced form of development that will be of benefit to the landscape setting and highway network that are considered to be significantly sufficient to outweigh any conflict with planning policy guidance below;

### Core Strategy policies;

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement

### Saved Local Plan policies;

Saved Policy EN4

Saved Policy EN 7

### Requirement for a site license;

The applicant is advised that although the site has a historic site licence any new development would have to be re-licensed by the Private Sector Housing Division to reflect the updated use of the site for the 34 Chalets and the Council standards for residential caravan sites which are based the national model standards. To discuss this matter please contact the Council Private Sector Housing team on 01642 527797.

### Advisory One Way system;

The applicant is advised that given vehicular parking is not spread across the site, vehicles may park along the internal road making it difficult for 2 cars to pass one another, therefore consideration should be given to making the main loop of the internal road an advisory one way route.

**P 12/1836/REM**  
**55/12 Land To The North Of The River Tees, To The South Of A1046 And Church Road, And East Of The Square**  
**Reserved matters application for 76.no two-three storey dwelling houses and associated boundary treatments, access, appearance, layout and scale.**

Consideration was given to a report on planning application 12/1836/REM - Land To The North Of The River Tees, To The South Of A1046 And Church Road, And East Of The Square - Reserved matters application for 76.no two-three storey dwelling houses and associated boundary treatments, access, appearance, layout and scale.

Outline planning consent was granted in 2009 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 (08/3644/EIS) on land to the north of the River Tees, to the south of A1046 and Church Road, and east of the Square. The principle of the development had therefore been established; all matters were reserved as part of the original approval.

The application was a reserved matters application for the access, appearance, landscaping, layout and scale of the second phase of development of 76 dwelling units within an area known as the Home Zone at the eastern end of the Northshore site.

The first fifty homes of the Homezone were under construction with over half been sold.

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

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

With regard to publicity neighbours had been notified and no comments had been received.

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

Section 143 of the Localism Act came into force on the 15 January 2012 and required 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 such an application [planning application] the 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 in the report.

It was considered that the development would offer high quality homes and continue the success of the first phase of the redevelopment of the land at North Shore which was a regionally significant flagship regeneration scheme.

The nature and scale of the development was acceptable and it was considered that the site could satisfactorily accommodate the residential proposal without any undue impact on the amenity of any adjacent neighbours and is acceptable in terms of highway safety and did not conflict with policies in the Development Plan and therefore the recommendation was to approve the application subject to conditions.

RESOLVED that planning application 12/1836/REM 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
NOS-AL-040 B	20 August 2012
RF12-055L01 B	15 August 2012
RF12-055L03 A	15 August 2012
LPL-NOS-040	15 August 2012
NOS-AL-003 A	15 August 2012
RF12-055L02 B	15 August 2012
NOS AL (21) 061 A	16 August 2012
NOS AL (21) 076 A	16 August 2012
NOS AL (21) 066 A	16 August 2012
NOS AL (21) 071 A	16 August 2012
NOS AL (21) 081 A	16 August 2012
NOS AL (21) 078 B	16 August 2012
NOS AL (21) 086 A	16 August 2012
NOS AL (21) 082 A	16 August 2012
NOS AL (21) 091 A	16 August 2012
NOS AL (21) 092 A	16 August 2012
NOS AL (21) 096 A	16 August 2012
NOS AL (21) 080 A	15 August 2012
11480-211	27 July 2012
11480-210	27 July 2012
NOS AL (21) 065	27 July 2012
NOS AL (21) 070	27 July 2012
NOS AL (21) 085	27 July 2012
NOS AL (21) 080	27 July 2012
NOS-AL-005	31 July 2012
11480-241	27 July 2012
NOS AL (21) 077	15 August 2012
NOS AL 001	27 July 2012
NOS AL (21) 075	31 July 2012
RF12-055L05	27 July 2012
RF12-055L04	27 July 2012
RF12-055L06	27 July 2012
RF12-055L07	27 July 2012
11480-240	27 July 2012
NOS-AL-002	27 July 2012
NOS-AL-004	27 July 2012
NOS AL (21) 095	27 July 2012
NOS AL (21) 060	27 July 2012

2. Notwithstanding the provisions of the Town and Country Planning (General permitted development) Order 2008 (or any order revoking or re-enacting that Order), no integral garages shall be converted into part of the house without the prior written consent of the Local Planning Authority.

3. 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

4. Development shall not begin until a surface water drainage scheme, based on sustainable drainage principles and assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved 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 with the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion.

#### INFORMATIVES

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.

National Planning Policy Framework

Core Strategy Policies CS1, CS2, CS3, CS7, CS8, CS10 and CS11 and Saved Local Plan Policy HO3.

The applicant/developer is advised to contact Alan Daines (0113 200 5713) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

- P**  
**56/12**
- 1. Appeal - Mr RS and WM Pickersgill - Land at Marmaduke Place Norton - 11/1703/CON AND 11/1621/FUL - BOTH APPEALS ALLOWED WITH CONDITIONS**
  - 2. Appeal Mr M Jagpal - Shopping Centre Greenside Lowfields Ingleby Barwick - 11/3179/FUL - ALLOWED WITH CONDITIONS**
  - 3. Enforcement Appeal - Furniture Outlet Stores Portrack Lane Stockton - APPEAL DISMISSED AND ENFORCEMENT NOTICE UPHELD**

RESOLVED that the appeals be noted.

