

Planning Committee

A meeting of Planning Committee was held on Tuesday, 5th February, 2013.

Present: Cllr Robert Gibson (Chair); Cllr Jim Beall, Cllr Mark Chatburn, Cllr Carol Clark (Vice Cllr Ray McCall), Cllr Michael Clark (Vice Cllr Paul Kirton), Cllr Gillian Corr, Cllr Phillip Dennis (Vice Cllr Ken Lupton), Cllr Eileen Johnson (Vice Cllr David Rose), Cllr Alan Lewis, Cllr Andrew Sherris, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker and Cllr Steve Walmsley.

Officers: C Straughan, B Jackson, S Grundy, R McGuckin, M Clifford, K Campbell (DNS); J Butcher, K Wannop (LD).

Also in attendance: Applicants, agents, members of the public, Cllr Ross Patterson, Cllr Maureen Rigg, Cllr Tina Large and Cllr Sylvia Walmsley.

Apologies: Cllr Jean Kirby, Cllr Paul Kirton, Cllr Ken Lupton, Cllr Ray McCall and Cllr David Rose.

P **Evacuation Procedure**
91/12

The evacuation procedure was noted.

P **Declarations of Interest**
92/12

Councillor Corr declared a personal interest in respect of agenda item 5 - 12/2517/OUT - Land at Low Lane, High Leven, Ingleby Barwick - Outline application for the erection of Ingleby Manor Free School and Sixth Form and residential development (350 dwellings) including means of access as she was the Chair of Ingleby Barwick Town Council who had made a representation on the application but outlined that she had not been involved in the decision of the Town Council.

Councillor Patterson declared a personal prejudicial interest in respect of agenda item 5 - 12/2517/OUT - Land at Low Lane, High Leven, Ingleby Barwick - Outline application for the erection of Ingleby Manor Free School and Sixth Form and residential development (350 dwellings) including means of access as he was a founder member of Barwick's Own 2nd Secondary School (BO2SS) and withdrew from the meeting and left the room after he had made representation on the application.

P **Minutes**
93/12

The minutes of the meeting held on 16th January 2013 were confirmed and signed by the Chair as a correct record.

P **12/2517/OUT**
94/12 **Land at Low Lane, High Leven, Ingleby Barwick**
Outline application for the erection of Ingleby Manor Free School and Sixth Form and residential development (350 dwellings) including means of access

Consideration was given to a report on planning application 12/2517/OUT - Land at Low Lane, High Leven, Ingleby Barwick - Outline application for the erection of Ingleby Manor Free School and Sixth Form and residential development (350 dwellings) including means of access.

The application site lay to the south-east of the existing settlement of Ingleby Barwick and was a series of open fields bounded by hedgerows. Low Lane ran to the south of the site and a small cluster of residential and commercial properties lay on the opposite side of the road. Residential properties lay to the immediate east, west and north of the application site.

Outline planning consent was sought for the creation of a new free school providing for 600 school places for years 7-11 and a 150 place sixth form and associated playing fields and for a residential housing development of up to 350 dwellings. All matters were to be reserved with only the means of access up for consideration. The applicant had also recently confirmed that 10% affordable housing provision would be offered.

It was clearly a benefit of the proposal that it would boost significantly the supply of housing and along with the provision of a Free School would have significant social and economic benefits. No evidence had been provided as to why the benefits associated with a Free School could not be achieved without coupling this proposal to a residential development on the scale of 350 houses. This was considered to be particularly substantial in respect of the impact on the Green Wedge, which would be less significant if the proposal were restricted to the provision of a Free School.

Whilst acknowledging the weight and importance which was required under the NPPF to be attached to the provision of housing to meet the 5 year supply and in bringing about education provision in the form of the Free School, it was considered that the provision of the housing development would have such a significant impact on the Green Wedge that the associated community benefits of the Free School would not be sufficient enough to outweigh these conflicts with the adopted development plan policies and the National Planning Policy Framework (NPPF). Furthermore insufficient information had been provided to satisfactorily demonstrate that there would be no significant harm to protected species or to justify a reduction in the provision of affordable housing from the required 20% level in the adopted Core Strategy Policy CS8 (5).

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

Publicity had been given to the application by neighbour letters, a press advert and site notices. The comments received were detailed within the report. A total of 71 objections, 21 letters of support and 11 general 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 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 15th 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 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.

Members were presented with an update report that outlined that further correspondence had been received from two Ward Councillors, Natural England and the Head of Technical Services, these were detailed within the report. Natural England withdrew their original objection to the scheme following the receipt of an additional protected species survey, and as a result, the previously indicated reason for refusal (no. 3) was removed.

Additional indicative drawings and a revised masterplan had also been received. These detailed how an appropriate landscape buffer could be provided and show the amalgamation of open space into one area to achieve the minimum space standards. An image showing how screen planting (similar to that proposed) could grow and mature over time had also been included within the submission. These were attached to the report.

Additional comments had also been received from the applicant (as to how the school and housing were linked), the Ingleby Free School group and the Education Funding Agency had submitted a delivery programme and these comments were attached to the report. An additional 40 letters of support had also been received, the content of which was detailed within the update report.

Updated Heads of Terms were also detailed at the end of the report that included the financial contributions required in respect of the highway improvements.

The applicant, agent for the applicant, objectors and supporters including Councillor Patterson were given the opportunity to make representation.

The applicant and agent for the applicant made the following comments:-

- * This application is the only option available to ensure the delivery of a second secondary school on Ingleby Barwick
- * There is a need for a new school on Ingleby Barwick
- * 1000 children go to school sites outside of Ingleby Barwick
- * 200 children are interested in going to the school
- * The housing part of the application is a necessary part of the application
- * 300 children go by car and 16 buses take children to schools outside of Ingleby Barwick
- * There will be a Home to School agreement for children to cycle / walk to the proposed new school
- * The school will start at 8.30 a.m. and finish at 4.30 p.m.
- * The school will offer facilities / activities for the wider community
- * The school will engage with Stockton Borough Council
- * As an authority Stockton needs more housing sites
- * Out of around 16000 people there only been 80 objectors

- * The application should be approved and not taken to an appeal

The objectors made the following comments:-

- * A school is needed and not more housing
- * The applications should be split up and looked at separately
- * The school is out of LA control which is a worry
- * There will be transport problems
- * Unacceptable impact on the area
- * Loss of green wedge
- * Loss of trees
- * Strain on amenities, primary schools, dentists, doctors
- * Further development would take place if the application is approved
- * The land is a buffer between Ingleby Barwick and Thornaby

The supporters including Councillor Patterson made the following comments:-

- * The application is the only viable option
- * The extra school places are needed
- * At the moment there is potential for accidents as children have to travel to school
- * BSF has now been dropped and there is still no solution to the issue of secondary school places on Ingleby Barwick
- * Money will be saved from not bussing children off Ingleby Barwick
- * Campaign for the Protection of Rural England (CPRE) support the application
- * There has been a campaign for a new school for 8 years
- * The demand on places at Egglecliffe and Conyers is too great

Members were then given the opportunity to ask questions and make comment on the application and these could be summarised as follows:-

- * Nobody denies the need for school places
- * The Local Plan has to be adhered to
- * The figures of the children that are bussed off Ingleby Barwick do not add up
- * Phase 1 of the scheme is 350 houses and phase 2 is 1250
- * There may have been a better reaction if the application was just for the school
- * There is no need for further housing
- * This application is no different from any other in the green wedge
- * Sympathy for residents of Ingleby Barwick
- * The school will solve the problems of bussing children off Ingleby Barwick
- * Disappointed by the lack of information from SBC Education Department on the impact the proposed school would have on the surrounding secondary schools
- * The 350 houses will mean another 1000 cars in Ingleby Barwick
- * There is an excellent argument for a new school but not for the housing

A vote then took place and the application was refused.

RESOLVED that planning application 12/2517/OUT be refused for the following reasons:-

1. In the opinion of the Local Planning Authority the proposed development

represents an unjustified incursion into the Bassleton Beck valley green wedge and by virtue of its scale and nature would have an unacceptable detrimental impact on the open character and visual amenity of the area and thereby harm the amenity value of the site and the separation that exists between the settlements of Ingleby Barwick and Thornaby, contrary to saved policy H03 of the Adopted Stockton on Tees Local Plan and policies CS3(8) and CS10(3) of the Adopted Core Strategy and paragraph 123 of the National Planning Policy Framework (NPPF).

2. In the opinion of the Local Planning Authority the applicant has failed to provide any justification or viability assessment to satisfy the Local Planning Authority that would reasonably justify a reduction in affordable housing provision, from the minimum 20% level identified within the Core Strategy, contrary to the requirements of Policy CS8 (5) of the Core Strategy and paragraph 50 of the National Planning Policy Framework.

**P
95/12** **Local Plan Steering Group Minutes - 30th October 2012**

RESOLVED that the Local Plan Steering Group minutes from the meeting held on 30th October 2012 be noted.

- P
96/12** **1. Appeal - Tariq Mahmood - 135 - 137 Mansfield Avenue Thornaby -
12/1676/REV -
DISMISSED**
**2. Appeal - Athenaeum Developments (Stockton)Ltd and Mitchell & Butlers
- Former Springs Leisure Club Teesside Retail Park Stockton -
11/2909/FUL - DISMISSED**

RESOLVED that the appeals be noted.