

Planning Committee

A meeting of Planning Committee was held on Tuesday, 1st April, 2014.

Present: Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice-Chairman), Cllr Phillip Dennis, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Ray McCall, Cllr David Rose, Cllr Andrew Sherris, Cllr Mick Stoker, Cllr Steve Walmsley, Cllr David Wilburn

Officers: Greg Archer, Barry Jackson, Richard McGuckin, Peter Shovlin, Carol Straughan(DNS), Julie Butcher, Sarah Whaley(LD)

Also in attendance: Applicants, Agents, Members of the Public.

Apologies: Cllr Jim Beall, Cllr Jean Kirby, Cllr Norma Stephenson O.B.E,

P Evacuation Procedure

127/13

The Evacuation procedure was noted.

P Declarations of Interest

128/13

Cllr Lupton declared a personal non prejudicial interest in relation to item 5, '12/2784/OUT Land to the North of Lion Court, North Of The A689, Wynyard Park', and item 6, '13/0342/EIS Land at Wynyard Village', as he was a non-executive Director serving on North Tees and Hartlepool Trust Board.

P Minutes

129/13

The minutes from the meeting which was held on the 26th February 2014 were confirmed and signed by the Chair as a correct record.

P 14/0303/LAF

130/13

**Land to the Rear of Barclays Bank Plc, 76 High Street, Yarm
Proposed new public long stay car park to provide 38 car parking spaces including associated landscaping, lighting and CCTV installation.**

Planning application 14/0303/LAF Land to the Rear of Barclays Bank Plc, 76 High Street, Yarm, was withdrawn from the agenda to be reported to a future meeting of the Planning Committee.

P 12/2784/OUT

131/13

**Land to the North of Lion Court, North Of The A689, Wynyard Park
Outline planning application for the erection of up to 400 dwellings, a potential 2 form entry primary school, a local centre of up to 250sqm (Use Classes A1 to A5), changing facilities, playing field, open space, landscaping and associated infrastructure (all matters reserved except access).**

Consideration was given to a report on planning application 12/2784/OUT Land to the North of Lion Court, North Of The A689, Wynyard Park.

The application was originally submitted for Outline Planning permission for up to 780 dwellings; a retirement village for up to 220 dwellings. The number of dwellings had been reduced to up to 400 dwellings. This application was one of three applications in the Wynyard area, the others comprised of:-

Wynyard Park Hartlepool application – originally submitted for 603 dwellings and 101,858 sqm of commercial floor space and associated facilities. The number of dwellings had now been reduced to up to 200 units (App. Ref. H/2013/0033);

Wynyard Village application – originally submitted for 650 dwellings and associated facilities. This had now been reduced to up to 500 units (App.Ref. 13/0342/EIS).

To enable the major highway issues relating to the Trunk Road Network to be resolved there had been on-going discussions between the respective developers (Wynyard park Ltd and Cameron Hall Developments), the two local authorities (SBC and HBC), the Highways Agency and the Department for Communities and Local Government advisory agency 'ATLAS' (Advisory Team for Large Applications).

The three application sites were shown in Appendix 1.

One of the main issues was the potential impact of the developments on the local and strategic highway networks. Detailed and extensive highway modelling found that no more than 1,100 dwellings could be delivered without major highway mitigation being required on the A19 with substantial cost implications. As a result it was agreed to reduce the total number of dwellings across all three developments to a combined total of 1,100 units.

The application sought Outline Planning permission for up to 400 dwellings; a local centre of up to 250sqm; a 0.6ha kick-about area; 0.8ha of other amenity space, including a village green; doorstep play facility; a 115m x 85m playing pitch and changing facilities.

A two form entry primary school was included in the residential planning application at Wynyard Village which was considered to be the preferred location for a school to serve all three proposed developments in the wider Wynyard area. However a fall-back position was required should that school not come forward so the application included two options shown on the parameter plans (see Appendix 2 and 3); Option 1 excluding a school and option 2 including the school.

The application was outline with all matters reserved except for access. The application proposal was, therefore to establish the principle of the development.

In view of the scale of the proposal and the location of the development, an Environmental Statement (ES) had been submitted with the application.

A Design and Access Statement and an Illustrative Masterplan had been prepared to demonstrate the layout and design principles for the site with

detailed plans submitted for the proposed means of access from the public highway.

The main planning considerations of this application were the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring residents, the impact on the highway network and highway safety, flood risk, ecology and nature conservation, health and safety requirements and other material planning considerations.

The application site was allocated in Saved Policy IN4 of the 1997 Local Plan for “prestige employment” development. The allocation of 70 ha of employment land in the Wynyard area was also included in the Council’s Core Strategy Policy 4. This reflected the “Key Employment Land” allocation included in the now revoked Regional Strategy, a document, which at the time of adoption; the Core Strategy had to be in conformity. The adopted development plan therefore identified the site as employment land and the application was contrary to Saved Policy IN4 and Core Strategy Policy 4 and residential development would normally be resisted unless material considerations indicated otherwise.

The application site was identified as Policy H1m on the Policies Map for the Regeneration and Environment Local Development Document Preferred Options. Policy H1m stated that 45 ha at Wynyard Park was allocated for up to 1000 dwellings, which would form part of a mixed use development, that would also deliver 70 ha of land for prestige employment uses.

Whilst Wynyard Park was one of the most attractive employment locations in the Tees Valley, it was considered that as a result of the significant supply of land at the site this was likely to last beyond the plan period.

The application site was outside of the defined limits to development. However, it was not relevant in the context of this particular site, given that the site was both allocated in the adopted development plan for built development and was committed for built development (for five warehouses) through planning consents.

A significant material consideration was the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF provided that “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority could not demonstrate a five-year supply of deliverable housing sites.” (para 49).

The Council had recognised that because of changing economic circumstances the housing strategy in the adopted Core Strategy would not deliver the housing requirement for the Borough. For this reason the Council decided to undertake a review of the strategy which was incorporated in to the draft Regeneration and Environment LDD preferred options consultation (2012). This document proposed a significant shift in strategic planning policy within the Wynyard area.

In order to deliver the housing requirement to 2030 the document first of all

identified a number of urban extensions to the main settlements in the Borough. Given the lack of alternative options the selected strategy sought to make Wynyard a more sustainable settlement. The strategy was identified as being delivered through the application site and the extension to Wynyard village.

The five year housing supply assessment for Stockton-on-Tees was updated annually using a base date of 31 March. The Council had produced a report entitled „Five Year Deliverable Housing Supply Final Assessment: 2013 – 2018“. The Report concluded that the Borough had a supply of deliverable housing land of 3.96 years.

The five year supply assessment was also being updated every 3 months on a trial basis. The third quarterly update covered the period 1st January 2014 to 31st December 2018 and concluded that the Borough had a supply of deliverable housing land of 4.37 years with a 20% buffer added (with the shortfall being 455 dwellings).

The Council could not demonstrate a 5 year supply of housing land. The policies in the development plan that deal with housing supply were therefore to be considered out of date and the proposal must be assessed in relation to the presumption in favour of sustainable development and the tests set out in NPPF paragraph 14, namely that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The benefits of the application within a housing context were that it would boost significantly the supply of housing; the financial contribution towards the provision of affordable housing would contribute to reducing the annual net shortfall of affordable housing identified in the Tees Valley Strategic Housing Market Assessment (TVSHMA), it would make a significant contribution to the executive housing offer in the Tees Valley and that it would, if implementation began within a five year time frame, make a significant contribution towards the five year supply of housing.

The proposal was also consistent with the Council's vision for Wynyard which was set out in the Regeneration and Environment LDD Preferred Options which envisaged the delivery of sustainability benefits to the Wynyard area. The principle of residential development, was therefore, supported as such by professional officer opinion. However, this did not reduce in any way the weight that the Council attached to any significant policy or environmental constraints that were relevant to the site. The Council attached great weight to ensuring that the process of site allocation was an open, transparent and participatory one which allowed full opportunity for comment to the wider public and other stakeholders. The preferred options stage could not therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy.

There was clearly a tension between the site being released for housing development now and the core principle in the NPPF that stated that planning should be genuinely plan-led. However, recent decisions by the Secretary of State suggested that this principle was being accorded less weight than the need to demonstrate a five year supply of deliverable housing sites. This was notwithstanding the fact that the Core Strategy Review was housing-delivery led

and the Council was seeking to put in place a five year supply of deliverable housing sites as quickly as possible through a plan-led approach.

One of the NPPF core planning principles included making every effort to 'identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.' The 1st bullet point of NPPF paragraph 47 stated that to boost significantly the supply of housing local plans should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as was consistent with the policies set out in this Framework, including identifying key sites which were critical to the delivery of the housing strategy over the plan period'.

As previously referenced the Council was not currently able to demonstrate a five year supply of deliverable housing sites and the TVSHMA identified an annual deficit in the provision of affordable housing of 560 homes. It was a benefit of this application that it would contribute to the provision of market and affordable housing. This was not withstanding the Council's preference for addressing those issues through a plan-led approach.

The proposal needed to be assessed in relation to the presumption in favour of sustainable development. Relevant Core Strategy policies include Policy CS2 - Sustainable Transport and Travel, Policy CS3 - Sustainable Living and Climate Change, Policy CS6 - Community Facilities, Policy CS8 - Housing Mix and Affordable Housing Provision and Policy CS10 - Environmental Protection and Enhancement. It was clearly a benefit of the proposal that it would boost significantly the supply of housing and responded positively to an opportunity for growth.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable in terms of highway safety, it did not adversely impact on neighbouring properties or the ecological habitat and flooding.

Having carefully weighed all the above considerations in the planning balance, it was considered that the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which sought to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities. It was considered that the application site was a sustainable development and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight is required to be placed on the need to support economic growth through the planning system. As indicated in the main report the Local Planning Authority's policies for the supply of housing cannot be considered up-to-date as it cannot be demonstrated that there is a five-year supply of deliverable housing sites.

It was considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It was considered that approval of this application was not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be

reasonably withheld. The application was accordingly recommended for Approval.

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

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 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 Jan 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 had been considered in the context of the Environmental Statement, consultee and consultation responses, The impacts of the proposal had been considered against national and local planning guidance, the development was allocated for employment use and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan. However the guidance in the NPPF made clear that the Local Planning Authority's existing housing delivery policies could not be considered as up to date as it could not demonstrate a five-year supply of deliverable housing sites. Also housing applications were to be considered in the context of the presumption in favour of sustainable development. It was considered that there were important material benefits arising from the proposed development and there were not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable in terms of highway safety, it did not adversely impact on neighbouring properties or the ecological habitat, flooding and health and safety.

It was considered that in the planning balance, the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which sought to properly compare the long term sustainable alternative locations for housing developments and give local

residents an opportunity to influence the planning of their own communities and therefore pre-empt the proper operation of the Development Plan process.

As much as the Local Planning Authority would wish to progress the consideration of the acceptability of the application site through the plan making process, the application must be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development and delivery and therefore the application was accordingly recommended for approval.

The Principal Planning Officer presented the Committee with a verbal update stating that there had been minor changes to the wording of the conditions covering sustainable homes to reflect Government proposed changes to renewable energy and energy efficiency measures to be incorporated into National Standards and the Flood Risk Assessment condition to reflect the latest wording from the Environment Agency and minor changes to some conditions to reflect the phased nature of the development.

The applicant was in attendance at the meeting and was given the opportunity to make representation. Their comments could be summarised as follows:

- A brief overview was given detailing the development and regeneration of Wynyard Park since the departure of Samsung.
- 65 Companies were currently based on the Wynyard site.
- There was still an estimated 60 years of employment land to exhaust.
- There were limited funds available to increase the commercial area.
- Substantial costs were to be incurred relating to improving underground pipework, roads and mixed development.
- Developers were not currently spending; however there were house builders ready to commit to the development.
- Wynyard Park Ltd and Cameron Hall Developments had worked closely with Officers from Stockton Borough Council especially on the highways element of the application.
- An estimated income of £860,000 of Council Tax could be generated should the development be approved.

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

- The 5 year affordable homes plan had to happen which was accepted, however there was a need for additional enforcement, and cycleways.
- The loss of forest and greenways needed to be addressed by additional planting.
- Schooling and sporting facilities needed to be addressed; however residents

required a condition limiting the number of primary schools built on the site.

Officers addressed the committee in response to a number of concerns which had been highlighted. Their comments could be summarised as follows:

- The Heads of Terms outlined that there would be a provision of cycleways.
- Community facilities would be addressed within the S106 agreement and triggers would be set at various stages.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Questions were raised in relation to the number of affordable houses which were to be provided, how many bedrooms would each home have, and where would they be located?
- The provision of cycleways would only serve the estate itself, as there were no cycleways following on from the estate.
- The bird club were not happy with the proposal and it seemed that the 5 year housing plan took precedent over everything else.
- It seemed that any planning application could be approved since the NPPF had come into force, which seemed to mark an end to local choice and local democracy.
- Clarity was sought surrounding the traffic flow and waiting times which had been highlighted within the report which was showing waiting times of 08:52 minutes eastbound during morning peak hours if 1100 homes were to go ahead. With the hospital and highway mitigation this would reduce to 08:04 minutes by 2023, however if the hospital was not to go ahead and without further highway mitigation then this would increase to 31.15 minute. How far down the development route was mitigation to be sought?
- Concerns were also raised regards traffic flow issues as it was highlighted that Durham County Council were also looking to develop a further 200 homes close to the development which would rely and impact on the same road network.
- There had been objections raised within the report in connection to the flooding of the A684 during periods of wet weather. It was highlighted that additional housing would add to these problems. More definition was required in relation to the level of SUDS.
- Officers addressed the Committee in response to a number of concerns raised by Members. Their comments could be summarised as follows:
 - 25 affordable homes would be located on the development site and 35 would be located offsite. The Head of Housing would determine the number of bedrooms required for each of the 25 affordable homes.
 - In relation to the concerns raised in connection to traffic flow, the Head of Technical Services explained that the traffic model used within the report

highlighted a waiting time of 31 minutes if there was to be no hospital and no highway mitigation in 2023. With 1100 homes and a hospital, waiting times would be 10 minutes and with the hospital only, waiting times would be 8 minutes. Currently the authority were still awaiting a decision from central government in relation to the development of the hospital. If the hospital did not go ahead the S106 agreement would cater regarding traffic issues.

- Where concerns were raised in connection to a possible development from Durham County Council it was explained that they would have to demonstrate, that should traffic issues occur, they would be obliged to deal with it accordingly as any other local authority would when dealing with traffic concerns. Neighbouring authorities had a duty to co-operate with each other and Technical Services were happy that they would take note.

A vote then took place and application was approved.

RESOLVED that planning application 12/2784/OUT be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below, or such other Heads of Terms, or variations to those referred to below, as may be deemed appropriate by the Head of Planning, and the following conditions and informatives.

In the event of the legal agreement having not been signed by 31 July 2014 that the application be refused.

SECTION 106 AGREEMENT

Heads of Terms

Highway Mitigation

Table 1 below details the highway mitigation measures needed for the cumulative developments of the applications 12/2748/OUT, 13/0342/EIS, H/2013/0033 and the proposed hospital development (H/2013/0479). Should the hospital development proceed the measures will be built out by the NHS Foundation Trust, but the section 106 agreement for this application (12/2748/OUT) will require the owner to meet all or some of the measures should the hospital not proceed or should the requirements for the hospital mitigation change. The requirements for some or all of the mitigation measures will also be dependant on whether the other developments commence and will need to be reflected in the agreement,

Detailed drawings of the requirements to upgrade the existing roundabouts shown in Table 1 to signalised junctions (to reflect the position above) should be submitted to and approved in writing by the Local Planning Authority and should be implemented in accordance with the timescales shown below, unless an alternative scheme for junction improvements works is agreed in writing with the Local Planning Authority. Thereafter these works should be retained for the lifetime of the development unless some variation is approved in writing by the Local Planning Authority.

Table 1:
Junction Trigger point for submission and approval of detailed drawings

Trigger point for completion of the works

Junction 3 – The Wynd

Prior to the first occupation of the [100]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner). Prior to the first occupation of the [200]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner)

Junction 4 – Glenarm Road Prior to the first occupation of the [200]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner) Prior to the first occupation of the [400]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner)

Junction 5 – Wynyard Avenue Prior to the first occupation of the [200]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner) Prior to the first occupation of the [400]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner)

Cycleway

No more than 200 dwellings shall be occupied until either

- a) the owner enters into a s278 agreement with the council for the construction of suitable cycleways and related infrastructure including appropriate greening infrastructure to connect Wynyard Park via the bridge crossing to the cycleway highway network south of the A689 via a backroute from Wolviston to link to the existing adopted highway [at Wynyard Road] or
- b) the above cycleway has been constructed pursuant to the construction of the hospital , or the development of the hospital has commenced triggering the requirement to provide the cycleway.

Public Transport

Without Hospital Option:

- provide a shuttle service, to be procured by the developer, between the residential developments at Wynyard Park and the Wynyard Village extension (where appropriate) (including to the primary school) and Billingham railway station and the Billingham Town Centre bus interchange at The Causeway as follows:
 - from first occupation until occupation of the 200th house (across both the Wynyard Park Stockton (LPA Ref: 12/2784/OUT) and Wynyard Park Hartlepool (LPA ref: H/2013/0033) sites), the service will operate hourly between 08:00 and 10:00, and hourly between 15:00 and 18:00 from Monday to Saturday
 - from occupation of the 200th dwelling, the service will operate the service will operate hourly between 08:00 and 10:00, two hourly between 10:00 and 15:00, and hourly between 15:00 and 18:00 from Monday to Saturday and every two hours from 08:00 until 18:00 on Sundays and Bank Holidays
- the bus service must be funded for five years from first occupation of the residential development or until the public transport provision proposed by the hospital becomes operational
- Any revenue gathered by the service would be returned to the developer to offset some of the cost of providing the service
- The bus service usage will be monitored by the developer and reported to the council in accordance with the Travel Plan every six months for the first three years or until the opening of any hospital at Wynyard Park (whichever is

sooner).. The results of the monitoring exercise will be reviewed in order to establish whether any changes to the services are required. Any review will be undertaken as part of the Travel Plan process.

With Hospital Option

- On opening of the Hospital the Without Hospital Option bus service will cease with the exception of maintaining a service linking Wynyard Park, with Wynyard Village extension, the hospital and the primary school (wherever built). [The remainder of the service above will be replaced by the bus services agreed through the hospital planning permission or any subsequent planning permission for a hospital at Wynyard Park].

It is proposed that the service is reviewed every six months to assess whether changes could be made to improve the commercial viability of the service as the wider vision for the Wynyard area, north and south of the A689, is realised. Any changes to the service route will be subject to written approval from Stockton and Hartlepool Borough Councils and in agreement with the service operator.

This review mechanism would allow the developer to investigate the potential to integrate the bus service with services being promoted by other developments in the Wynyard area should they be granted planning permission. The proposals include the residential developments in Hartlepool (LPA ref: H/2013/0033) and Stockton (LPA ref: 12/2784//OUT) being promoted by Wynyard Park and also the regional hospital (LPA ref: H/2013/0479) located to the north of the A689 and promoted by the NHS Trust.

Travel Plan

Prior to commencement of development, submit a Travel Plan for approval by the Local Planning Authority including a proposal to ensure the appointment of a Travel Plan Coordinator (prior to the occupation of the 50th Dwelling) for a minimum of 10 years from the occupation of the 150th dwelling, modal split targets and measures; exit strategy; notify the Council in writing of the name, address, telephone number and email address of the person so appointed. The Travel Plan Co-ordinator will oversee the implementation of the Travel Plan.

Bridge

Wynyard Park Limited/owner to enter into a S278 Agreement with the Council prior to the occupation of the 50th dwelling to bring the bridge into operation before the occupation of the 200th dwelling (cumulatively across Wynyard Park and Wynyard Village) unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority).

Affordable Housing

15% of dwellings to be affordable homes, with a minimum of 25 units to be provided on-site and the remainder by way of off-site provision. The off-site affordable provision can be made by delivery off-site or a contribution calculated on the basis of the methodology outlined in the revised Draft Affordable Housing SPD 2013.

50% of the contribution will be paid when 50% of the market houses on the site have been substantially completed, and the balance of the contribution will be

paid when 85% of the market houses on the site have been substantially completed.

Agreement will be reached between the Council and Wynyard Park over the period of time within which the funds must be spent, before Wynyard Park becomes eligible for their return, with interest.

Primary School

In the event that development of the Wynyard Village Primary School is not commenced on the Wynyard Village Extension Site by occupation of the 100th dwelling on the site, to apply for planning permission for a new two form entry primary school on site and to be provided the primary school on site before the completion of the 200th dwelling on site.

The school site shown on the parameters plan shall be kept clear and free of development until either

- a. the Primary School is built; or
- b. the School Site is no longer needed to provide a Primary School a two form entry school has been built on the Wynyard Village Extension site; or
- c. adequate primary school provision has been built elsewhere and the council certify that the school site is no longer needed for a primary school

Secondary School

- On occupation of the 150th, 250th, and 350th dwellings within the boundary of the application site for Wynyard Park (LPA ref: 12/2784/OUT), pay the secondary school contribution by three equal payments

- The following formula shall be used on each occasion to calculate the contribution:

$$A = (B \times 0.2) \times \text{£}13,000 - (\text{£}13,000 \times C)$$

A = Education contribution payable on each of the three payment triggers

B = number of family homes (2 or more bedrooms) for that Phase (ie 0 to 250, 251 to 350 or 351 to 500)

0.2 = the average child yield per family home

£13,000 = the cost of a secondary school place

C = one third of the number of vacant school spaces available within the Billingham secondary schools of both Northfield School & Sports College, based on their capacity as at the date hereof being 1350 and St Michael's Catholic Academy their capacity being 875 excluding any temporary on site capacity as recorded within the Summer 2013 School Census in the year prior to the payment being made, such vacant places to be shared pro rata between all committed developments within the catchment area of the schools .

- The final contribution shall be paid on occupation of the last dwelling

The cost per place for Secondary contribution of £13,000 is the cost per place as of the date hereof but is subject to index linking and that as per Appendix B of the SPD6 that it will be subject to index linking as per the 'Tender Index published by the Building Cost Information Service'

Local Centre

Prior to the occupation of the 300th dwelling, the local centre must have been constructed in accordance with a detailed design to be first submitted to and approved in writing by the Council and be available for occupation.

Local Labour Agreement

- To use reasonable endeavours to ensure that 10% of the jobs on the development are made available to residents within the Target Areas
- To use reasonable endeavours to ensure that 10% of the total net value of the services and materials used in the development are provided by Businesses within the Target Areas
- To use reasonable steps to procure that any contractor and / or subcontractor nominate an individual to liaise with the Principal Project Officer Employment.
- Submit a Method Statement to the Council prior to the commencement of each Phase of the development which demonstrates that 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 Principal Project Officer

Open Space / Play Provision

- Prior to the occupation of the 50th dwelling a 0.6ha Public Open Space which shall include an area for active recreation must be provided in accordance with a detailed design to be first submitted to and approved in writing by the Local Planning Authority. This Public Open Space shall be maintained at the applicants cost in such reasonable state of condition as is commensurate with the proper enjoyment of it for its use
- Prior to the occupation of the 250th dwelling all remaining Public Open Space shall be provided in accordance with a detailed design to be first submitted to and approved in writing by the Local Planning Authority. This Public Open Space shall be maintained at the applicants cost in such reasonable state of condition as is commensurate with the proper enjoyment of it for its use

Sport Provision

- Prior to the occupation of the 250th dwelling the Changing Facilities and Full Size Grass Playing Field must be provided in accordance with a detailed design to be first submitted to and approved in writing by the Local Planning Authority and shall be maintained at the applicants cost in such reasonable state of condition as is commensurate with the proper enjoyment of it for its use. Prior to the completion of the facilities the owner shall submit a scheme to the local planning authority for approval detailing a community use agreement and the future management of the facilities and shall thereafter be managed in accordance with the approved scheme.

Highways and Estate Roads

- The applicant shall enter into a S38 for any landscaping that forms part of the adopted highway and this should be maintained in accordance with the maintenance schedule set out in SPD2.
- To ensure that the estate roads and associated highway infrastructure of the Development are constructed and maintained to adoptable standards

Previous Permissions

Not to progress with the implementation of planning permission 07/2407/REM on the Agreement Land (being the land edged in red on the site plan/location plan submitted with the application).

Conservation and Habitat Management Plan

Prior to occupation submit a Conservation and Habitat Management Plan which addresses any negative effects on biodiversity resulting from the Development, and indirect effects such as disturbance to the adjacent woodland in addition to direct effects such as loss of habitat.

The ecological balance sheet must assess the positive effects of the mitigation to be instituted as part of the Development, which will include the requirements in connection with the Public Open Space and the landscaping associated with the Development.

The ecological balance sheet must assess any net loss to biodiversity resulting from the Development, and any net loss must be compensated so as to show a net enhancement to biodiversity. Compensatory measures can be undertaken within the red line boundary outside of the Development or other areas of Wynyard Park.

The Conservation and Habitat Management Plan must be drawn up by the Owner for the purpose of determining the compensatory measures which might reasonably be undertaken to achieve that net enhancement to biodiversity and in consultation with the Council., The Conservation and Habitat Management Plan must include a timetable for its implementation, and must be submitted to the Council by the Owner and approved by the Council prior to Occupation. Once approved, the Conservation and Habitat Management Plan must be implemented in accordance with its terms and, save as otherwise agreed in writing by the Council, the approved compensatory measures undertaken and maintained (in perpetuity) by the Owner in accordance with the approved details and timetable

Pipeline

To carry out any works necessary for the protection of the pipeline in accordance with the conditions attached to planning permission and the clauses of the Section 106 Agreement for the provision of the Access Road and associated works for the Access Road Site submitted under reference number 08/1410/FUL or any subsequent approval.

CONDITIONS:

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

Plan Reference Number	Date on Plan
60248512-SK101	21 November 2012
SK1000.03 RevA	24 March 2014
SK1000.04 Rev A	24 March 2014
SK -100-20	24 February 2014

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

03. The development hereby permitted shall be begun either before the expiration of five 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.

04. Prior to commencement of development a Phasing Programme shall be submitted to and approved in writing by the Local Planning Authority which shall identify the phasing of infrastructure, landscaping, public open space, accesses and residential areas of the development hereby approved. Thereafter the development shall be undertaken in accordance with the Phasing Programme.

05. Within each phase, approval of details of the appearance, layout and scale of the buildings and landscaping of the site shall be in accordance with the details to be submitted to and approved by the Local Planning Authority before that phase of the development commences.

06. The development shall be implemented in general conformity with the approved Design and Access Statement and Parameter Plan submitted with the planning application.

07. Within each phase, details of all external finishing materials including roads and footpaths and all hard landscaped areas shall be agreed with the Local Planning Authority before that phase of the development is commenced. Thereafter the development shall be implemented in accordance with the approved detail.

08. Within each phase, all means of enclosure, public art and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.

09. The total development hereby approved shall not exceed the following maxima:

Up to 400 Residential dwellings (C3 Use Class)

Up to 250 Sq.m. of Retail use (Classes A1 –A5)

10. Within each phase development shall not be commenced until details of the lighting columns, light colour and luminance have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

11. Within each phase, no development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO₂ emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations applicable at the time the scheme is submitted to the Local Planning Authority for approval or when registered with building control, whichever is the sooner. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be

satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

12. Within each phase, no Development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space and play facilities by the developer in accordance with the Open Space, Sport and Recreation Supplementary Planning Document as part of the development, and such arrangements shall address and contain the following matters:

- A) The delineation and siting of the proposed public open space
- B) The type and nature of the facilities to be provided within the public open space including the provision of play equipment for all age groups including young children and teenagers which shall be supplied and installed to a specification as agreed by the local planning authority.
- C) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development
- D) The arrangements the developer shall make for the future maintenance of the Public Open Space
- E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed by the local planning authority.

13. Within each phase, no development shall occur until the design and layout of the road, footpaths and cycleways has been agreed with the Local Planning Authority. Thereafter the roads, footpaths and cycleways shall be implemented as agreed unless otherwise agreed with the Local Planning Authority

14. Within each phase, a detailed scheme for landscaping and tree and/or shrub planting and grass including planting and construction techniques for pits in hard surfacing and root barriers shall be submitted to and approved in writing by the Local Planning Authority before the commencement of that phase of the development. Such a scheme shall specify stock types, stock sizes and species, planting densities; inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and 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 prior attained size and species unless the Local Planning Authority gives written consent to any variation.

15. Within each phase no development shall take place until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of the development, Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

16. For each phase, no development shall take place until details of the means for the storage and disposal of refuse 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.

17. Prior to the commencement of each phase of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

18. No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

19. No development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) 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.

20. Any part of the development which is to be used for residential purposes shall achieve a minimum of Level 4 of the Code for Sustainable Homes 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 details to discharge this condition or when registered with Building Control, whichever is the sooner.

21. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated Feb 2014 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 100 year (climate change) critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. A surface water discharge rate restricted to 3.5l/s/ha of proposed impermeable area with excess flows attenuated on site.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

22. No development shall take place until a scheme for the provision and management of a 10 metre wide buffer zone alongside the watercourses 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 buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

24. A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation works, this shall address 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, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

25. Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

26. Clearance of any vegetation, including trees and hedgerows, to take place outside of the bird breeding season. The breeding season is taken to be March-August inclusive unless otherwise advised by the LPA. An exception to this timing restriction could be made if the site is first checked within 48 hours prior to the relevant works taking place by a suitable qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the LPA confirming this.

27. Any trees that are to be removed that have been identified as having high potential for roosting bats, should be subject to bat activity surveys prior to any felling works being undertaken on them. Any trees that have been identified as having moderate bat roosting potential should be felled according to a suitable method statement to reduce the risk of harm to bats. The method statement should be submitted for approval prior to the felling of the trees.

28. The mitigation for badgers described in section E6.9 of the Environmental Statement and for otters, section E6.10 of the Environmental Statement, shall be implemented as described in those sections.

29. A lighting plan for the areas of development adjacent to the woodland should be submitted for approval. The plan should demonstrate how light spill will be minimised on the adjacent woodland.

30. Properties adjacent to the woodland should be separated from the woodland by a close-boarded fence of minimum height 1.8m.

31. Notwithstanding the proposals detailed in the Design and Access Statement/submitted plans no phase of development shall commence until shade assessment drawings, detailing how the existing trees and the proposed planting will impact upon the proposed residential dwellings, are submitted and approved in writing by the Local Planning Authority. The approved development phase shall be carried out in full accordance with the findings of shade assessment drawings.

32. Before the first dwelling is occupied, vehicular and pedestrian access connecting the proposed development to the public highway shall be constructed to the reasonable satisfaction of the Local Planning Authority.

INFORMATIVES

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

P 132/13 13/0342/EIS Land at Wynyard Village, Outline application for the construction of up to 500 houses, Primary School (inc Sport Facilities) and nursery, Retail Units (up to 500 sqm), Doctors Surgery, Community Facilities, access and associated landscaping, footpaths and open space (all matters reserved).

Consideration was given to a report on planning application 13/0342/EIS Land at Wynyard Village.

The application was originally submitted for Outline Planning permission for up to 650 dwellings but the number of dwellings had been reduced to up to 500 dwellings. The application was one of three applications in the Wynyard area, the others comprised of:-

Wynyard Park Stockton application – originally submitted for 1,000 dwellings and associated facilities which had now been reduced to up to 400 units (App. Ref. 12/2784/OUT).

Wynyard Park Hartlepool application – originally submitted for 603 dwellings and 101,858 sqm of commercial floorspace and associated facilities which had reduced the number of dwellings to up to 200 units (App. Ref. H/2013/0033);

To enable the major highway issues relating to the Trunk Road Network to be resolved there had been on-going discussions between the respective developers (Wynyard Park Ltd and Cameron Hall Developments), the two local authorities, the Highways Agency and the Department for Communities and Local Government advisory agency 'ATLAS' (Advisory Team for Large Applications).

The 3 application sites were shown in Appendix 1.

One of the main issues was the potential impact of the developments on the local and strategic highway networks. Detailed and extensive highway modelling found that no more than 1,100 dwellings could be delivered within this area without major highway mitigation being required on the A19 with substantial cost implications. As a result it was agreed to reduce the total number of dwellings across all three developments to a combined total of 1,100 units.

Planning application 13/0342/EIS Land at Wynyard Village, sought Outline Planning permission for up to 500 dwellings; a primary school, ancillary retail facilities, community facilities and Doctors surgery with associated open space and landscaping on land at Wynyard Village. The application was in outline with all matters reserved. The application proposal was, therefore to establish the principle of the development.

A Design and Access Statement, an Illustrative Masterplan and a Parameters Plan have been prepared to demonstrate the layout and design principles for the site.

The main planning considerations of the application were the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area and Wynyard Park, the impact on the privacy and amenity of neighbouring residents and highway operation and safety, flood risk, ecology and nature conservation and other material planning considerations.

It should be noted that the development was on an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise. Development was strictly controlled within the countryside beyond these limits and was restricted to limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or recreation provided it did not harm the appearance of the countryside. The proposal did not fall within these categories and a judgement was required whether considerations in support of the proposed development were sufficient to outweigh rural restraint policies.

A significant material consideration was the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF provided that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority could not demonstrate a five-year supply of deliverable housing sites." (para 49).

The Council had recognised that because of changing economic circumstances the housing strategy in the adopted Core Strategy would not deliver the housing requirement for the Borough. For this reason the Council decided to undertake a review of the strategy which was incorporated in to the draft Regeneration and Environment LDD preferred options consultation (2012). This document proposed a significant shift in strategic planning policy within the Wynyard area.

In order to deliver the housing requirement to 2030 the document first of all identified a number of urban extensions to the main settlements in the Borough. Given the lack of alternative options the selected strategy sought to make Wynyard a more sustainable settlement. This strategy was identified as being delivered through the site at Wynyard Park (north of the A689) and the extension to Wynyard village, which was the subject of this application.

The five year housing supply assessment for Stockton-on-Tees was updated annually using a base date of 31 March. The Council had produced a report entitled „Five Year Deliverable Housing Supply Final Assessment: 2013 – 2018”. The Report concluded that the Borough had a supply of deliverable housing land of 3.96 years.

The five year supply assessment was also being updated every 3 months on a trial basis. The third quarterly update covered the period 1st January 2014 to 31st December 2018 and concluded that the Borough had a supply of deliverable housing land of 4.37 years with a 20% buffer added (with the shortfall being 455 dwellings).

The Council could not demonstrate a 5 year supply of housing land. The policies in the development plan that dealt with housing supply were therefore to be considered out of date and the proposal must be assessed in relation to the presumption in favour of sustainable development and the tests set out in NPPF paragraph 14, namely that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The benefits of the application within a housing context were that it would boost significantly the supply of housing; the financial contribution towards the provision of affordable housing would contribute to reducing the annual net shortfall of affordable housing identified in the Tees Valley Strategic Housing Market Assessment (TVSHMA) , it would make a significant contribution to the executive housing offer in the Tees Valley and that it would, if implementation began within a five year time frame, make a significant contribution towards the five year supply of housing.

The proposal was also consistent with the Council's vision for Wynyard which was set out in the Regeneration and Environment LDD Preferred Options which envisaged the delivery of sustainability benefits to the Wynyard area. The principle of residential development, was therefore, supported as such by professional officer opinion. However, this did not reduce in any way the weight that the Council attached to any significant policy or environmental constraints that were relevant to the site. The Council attached great weight to ensuring that the process of site allocation was an open, transparent and participatory one which allowed full opportunity for comment to the wider public and other stakeholders. The preferred options stage could not therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy.

There was clearly a tension between the site being released for housing development now and the core principle in the NPPF that stated that planning should be genuinely plan-led. However, recent decisions by the Secretary of State suggested that this principle was being accorded less weight than the

need to demonstrate a five year supply of deliverable housing sites. This was not withstanding the fact that the Core Strategy Review was housing-delivery led and the Council was seeking to put in place a five year supply of deliverable housing sites as quickly as possible through a plan-led approach.

One of the NPPF core planning principles included making every effort to 'identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.' The 1st bullet point of NPPF paragraph 47 stated that to boost significantly the supply of housing local plans should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as was consistent with the policies set out in this Framework, including identifying key sites which were critical to the delivery of the housing strategy over the plan period'.

As previously referenced the Council was not currently able to demonstrate a five year supply of deliverable housing sites and the TVSHMA identified an annual deficit in the provision of affordable housing of 560 homes. It was a benefit of this application that it would contribute to the provision of market and affordable housing. This was not withstanding the Council's preference for addressing these issues through a plan-led approach.

The proposal needed to be assessed in relation to the presumption in favour of sustainable development. Relevant Core Strategy policies include Policy CS2 - Sustainable Transport and Travel, Policy CS3 - Sustainable Living and Climate Change, Policy CS6 - Community Facilities, Policy CS8 - Housing Mix and Affordable Housing Provision and Policy CS10 - Environmental Protection and Enhancement. It was clearly a benefit of the proposal that it would boost significantly the supply of housing and responded positively to an opportunity for growth.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable in terms of highway safety, it did not adversely impact on neighbouring properties or the ecological habitat and flooding.

Having carefully weighed all the above considerations in the planning balance, it was considered that the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which sought to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities. It was considered that the application site was a sustainable development and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight was required to be placed on the need to support economic growth through the planning system. As indicated in the main report the Local Planning Authority's policies for the supply of housing could not be considered up-to-date as it could not be demonstrated that there was a five-year supply of deliverable housing sites.

The Local planning authority was responsible for evaluating the Environmental Statement to ensure it addressed all of the relevant environmental issues and that the information was presented accurately, clearly and systematically. It was

considered that the authority had in its possession all relevant environmental information about the likely significant environmental effects of the project to make a decision whether to grant planning permission.

External consultees had also confirmed that they were satisfied with the information submitted adequately addressed the impacts of the proposal and identified appropriate mitigation.

It was considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It was considered that approval of this application was not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be reasonably withheld. The application was accordingly recommended for Approval.

The Principal Planning Officer presented the Committee with a verbal update stating that there had been minor changes to the wording of the conditions covering sustainable homes to reflect Government proposed changes to renewable energy and energy efficiency measures to be incorporated into National Standards and the Flood Risk Assessment condition to reflect the latest wording from the Environment Agency and minor changes to some conditions to reflect the phased nature of the development.

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

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 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 Jan 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 had been considered in the context of the Environmental Statement, consultee and consultation responses. The impacts of the proposal had been considered against national and local planning guidance, the development was an

unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan. However the guidance in the NPPF made clear that the Local Planning Authority's existing housing delivery policies could not be considered as up to date as it could not demonstrate a five-year supply of deliverable housing sites. Also housing applications were to be considered in the context of the presumption in favour of sustainable development. It was considered that there were important material benefits arising from the proposed development and there were not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable in terms of highway safety, it did not adversely impact on neighbouring properties or the ecological habitat, flooding and archaeology.

It was considered that in the planning balance, the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which sought to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities and therefore pre-empt the proper operation of the Development Plan process.

As much as the Local Planning Authority would wish to progress the consideration of the acceptability of the application site through the plan making process, the application must be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development and delivery and therefore the application was accordingly recommended for approval.

The applicants agent was in attendance at the meeting and was given the opportunity to make representation. Their comments could be summarised as follows:

- The Committee were given a brief overview of the applicants background and their vision for Wynyard Village.
- A new two form entry primary school was proposed as well as a doctors surgery, play areas and small number of shops.
- The projected opening for the school was estimated for September 2015 and would be run by Durham Diocese.
- If the proposal was approved then the development would contribute to the economic regeneration of the area.

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

- Residents had moved into the village specifically for a village environment. A further 400 houses, an estimated 2 cars per household would make it

completely unsafe for children.

- The 5 year affordable homes plan had to happen which was accepted, however there was a need for additional enforcement, and cycleways.

- The loss of forest and greenways needed to be addressed by additional planting.

- Schooling and sporting facilities needed to be addressed; however residents required a condition limiting the number of primary schools built on the site.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- There was to be a disappointing amount of woodland lost.

- The development would bring the housing development right up to the existing forest, what would be the main loss of quality trees and wildlife?

- A lot of green corridor would be lost.

- Issues were raised regarding the sustainability of the traffic flow and transport facilities. The three neighbouring authorities needed to look at providing a second access point to the A19.

- The development had been trimmed back to appease the traffic issues it needed.

- Further information was requested regarding the provision of public transport.

- Members requested that residents be given the opportunity to see the traffic model used just as members had, as this could eliminate any concerns they may have.

Officers addressed the Committee in relation to concerns Members had raised. Their comments could be summarised as follows:

- Mature conifer plantation would be lost however these were reaching maturity and were soon due to be felled.

- Natural England had considered the proposal and had raised no objection subject to appropriate mitigation. The scheme also involved bio-diversity offsetting.

- The proposed scheme would include additional deciduous trees; parklands etc. which meant there would be gain against that which was lost.

- The Head of Technical Services expressed that if the proposed hospital was to go ahead then there was a proposal to fund a bus shuttle service for 10 years. If the hospital did not go ahead then there would be a shuttle service into Billingham.

- Grindon Parish Council had attended a meeting regarding the traffic modelling

which had been used in relation to the proposed site. Officers at that meeting offered to attend a parish council meeting in order to give local residents the same opportunity to see the traffic modelling.

A vote then took place and the application was approved.

RESOLVED that planning application 13/0342/EIS be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below or such other Heads of Terms, or variations to those referred to below, as may be deemed appropriate by the Head of Planning, and the following conditions and informatives.

In the event of the legal agreement having not been signed by 31 July 2014 that the application be refused.

SECTION 106 AGREEMENT

Heads of Terms

Highway Mitigation

Table 1 below details the highway mitigation measures needed for the cumulative developments of the applications 12/2748/OUT, 13/0342/EIS, H/2013/0033 and the hospital development (H/2013/0479). Should the hospital development proceed the measures will be built out by the NHS Foundation Trust, but the section 106 agreement for this application (12/2748/OUT) will require the owner to meet all or some of the measures should the hospital not proceed or should the requirements for the hospital mitigation change. The requirements for some or all of the mitigation measures will also be dependent on whether the other developments commence and will need to be reflected in the agreement.

Detailed drawings of the requirements to upgrade the existing roundabouts shown in Table 1 to signalised junctions (to reflect the position above) should be submitted to and approved in writing by the Local Planning Authority and should be implemented in accordance with the timescales shown below, unless an alternative scheme for junction improvements works is agreed in writing with the Local Planning Authority. Thereafter these works should be retained for the lifetime of the development unless some variation is approved in writing by the Local Planning Authority.

Table 1:

Junction	Trigger point for submission and approval of detailed drawings
	Trigger point for completion of the works

Junction 3 – The Wynd	
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	Prior to the first occupation of the [100]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner).
	Prior to the first occupation of the [200]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner)

Junction 4 – Glenarm Road	Prior to the first occupation of the [200]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref.
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H/2013/0033 (whichever is sooner) Prior to the first occupation of the [400]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner)
Junction 5 – Wynyard Avenue Prior to the first occupation of the [200]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner) Prior to the first occupation of the [400]th dwelling (cumulatively across Wynyard Park and Wynyard Village) or App. Ref. H/2013/0033 (whichever is sooner)

Public Transport

Without Hospital Option:

- provide a shuttle service, to be procured by the developer, between the residential developments at Wynyard Village and Wynyard Park (including to the primary school, wherever built) and Billingham railway station and the Billingham Town Centre bus interchange at The Causeway as follows:
 - from first occupation until occupation of the 200th house (across both the Wynyard Park Stockton (LPA Ref: 12/2784/OUT) and Wynyard Park Hartlepool (LPA ref: H/2013/0033) sites), the service will operate hourly between 08:00 and 10:00, and hourly between 15:00 and 18:00 from Monday to Saturday
 - from occupation of the 200th dwelling, the service will operate the service will operate hourly between 08:00 and 10:00, two hourly between 10:00 and 15:00, and hourly between 15:00 and 18:00 from Monday to Saturday and every two hours from 08:00 until 18:00 on Sundays and Bank Holidays
- the bus service must be funded for five years from first occupation of the residential development or until the public transport provision proposed by the hospital becomes operational
- Any revenue gathered by the service would be returned to the developer to offset some of the cost of providing the service
- The bus service usage will be monitored by the developer and reported to the council in accordance with the Travel Plan every six months for the first three years or until the opening of any hospital at Wynyard Park (whichever is sooner). The results of the monitoring exercise will be reviewed in order to establish whether any changes to the services are required. Any review will be undertaken as part of the Travel Plan process.

With Hospital Option

- On opening of the Hospital the Without Hospital Option bus service will cease with the exception of maintaining a service linking Wynyard Park with Wynyard Village extension, the hospital and the primary school (wherever built)
- . The remainder of the bus service will be replaced by the bus services agreed through the hospital planning permission or any subsequent planning permission for a hospital at Wynyard Park.

It is proposed that the service is reviewed every six months to assess whether changes could be made to improve the commercial viability of the service as the wider vision for the Wynyard area, north and south of the A689, is realised. Any changes to the service route will be subject to written approval from Stockton and Hartlepool Borough Councils and in agreement with the service operator. This review mechanism would allow the developer to investigate the potential to integrate the bus service with services being promoted by other developments in the Wynyard area should they be granted planning permission. The proposals

include the residential developments in Hartlepool (LPA ref: H/2013/0033) and Stockton (LPA ref: 12/2784//OUT) being promoted by Wynyard Park and also the regional hospital (LPA ref: H/2013/0479) located to the north of the A689 and promoted by the NHS Trust.

Travel Plan

Prior to commencement of development, submit a Travel Plan for approval by the Local Planning Authority including a proposal to ensure the appointment of a Travel Plan Coordinator (in position from the marketing stage of the development, prior to on-site commencement) for a minimum of 10 years from the occupation of the 150th dwelling, modal split targets and measures; exit strategy; notify the Council in writing of the name, address, telephone number and email address of the person so appointed. The Travel Plan Co-ordinator will oversee the implementation of the Travel Plan.

Bridge

Cameron Hall developments/the owner to enter into a S278 Agreement with the Council prior to the occupation of the 50th dwelling to bring the bridge into operation before the occupation of the 200th (cumulatively across Wynyard Park and Wynyard Village) unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority).

Affordable Housing

- The affordable housing requirement is 15% of the total number of dwellings to be delivered within the boundary of the application site for the Wynyard Village Extension site (LPA ref: 13/0342/EIS)
 - Cameron Hall developments Ltd will pay a commuted sum to SBC for use in the delivery of the agreed 15% affordable homes off site .
 - The sum payable for each off site affordable dwelling will be calculated on the basis of the methodology outlined in the revised Draft Affordable Housing SPD 2013
 - 50% of the contribution will be paid when 50% of the market houses on the site have been substantially completed, and the balance of the contribution will be paid when 85% of the market houses on the site have been substantially completed.
- Agreement will be reached between the Council and CHD over the period of time within which the funds must be spent, before CHD becomes eligible for their return, with interest.

Primary School

To apply for planning permission for a new two form entry primary school on site such school to be provided on site before the completion of the 200th dwelling on site.

Secondary School

- On occupation of the 150th, 250th, and 350th dwellings within the boundary of the application site for the Wynyard Village Extension site (LPA ref: 13/0342/EIS), pay the secondary school contribution by three equal payments

- The following formula shall be used on each occasion to calculate the contribution:

$$A = (B \times 0.2) \times \text{£}13,000 - (\text{£}13,000 \times C)$$

A = Education contribution payable on each of the three payment triggers
 B = number of family homes (2 or more bedrooms) for that Phase (ie 0 to 250, 251 to 350 or 351 to 500)
 0.2 = the average child yield per family home
 £13,000 = the cost of a secondary school place
 C = one third of the number of vacant school spaces available within the Billingham secondary schools of both Northfield School & Sports College, based on their capacity as at the date hereof being 1350 and St Michael's Catholic Academy their capacity being 875 excluding any temporary on site capacity as recorded within the Summer 2013 School Census in the year prior to the payment being made, such vacant places to be shared pro rata between all committed developments within the catchment area of the schools .
- The final contribution shall be paid on occupation of the last dwelling
 The cost per place for Secondary contribution of £13,000 is the cost per place as of the date hereof but is subject to index linking and that as per Appendix B of the SPD6 that it will be subject to index linking as per the 'Tender Index published by the Building Cost Information Service'

Local Labour Agreement

- To use reasonable endeavours to ensure that 10% of the jobs on the development are made available to residents within the Target Areas
- To use reasonable endeavours to ensure that 10% of the total net value of the services and materials used in the development are provided by Businesses within the Target Areas
- To use reasonable steps to procure that any contractor and / or subcontractor nominate an individual to liaise with the Principal Project Officer Employment.
- Submit a Method Statement to the Council prior to the commencement of each Phase of the development which demonstrates that 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 Principal Project Officer

Open Space / Play Provision

- Prior to the occupation of the 50th dwelling Public Open Space which shall include an area for active recreation must be provided in accordance with a detailed design to be first submitted to and approved in writing by the Local Planning Authority. This Public Open Space shall be maintained at the applicants cost in such reasonable state of condition as is commensurate with the proper enjoyment of it for its use
- Prior to the occupation of the 250th dwelling all remaining Public Open shall be provided in accordance with a detailed design to be first submitted to and approved in writing by the Local Planning Authority. This Public Open Space shall be maintained at the applicants cost in such reasonable state of condition as is commensurate with the proper enjoyment of it for its use.

Sport Provision

Prior to the completion of the facilities the owner shall submit a scheme to the local planning authority for approval detailing a community use agreement and the future maintenance and management of the facilities and shall thereafter be maintained and managed in accordance with the approved scheme.

Highways and Estate Roads

- The applicant shall enter into a S38 for any landscaping that forms part of the adopted highway and this should be maintained in accordance with the maintenance schedule set out in SPD2 .
- To ensure that the estate roads and associated highway infrastructure of the development are constructed and maintained to adoptable standards

Biodiversity Off-setting

Cameron Hall Developments will make a one-off commuted sum payment to Stockton Borough Council to a total of £379,109 in respect of off-site biodiversity offsetting measures. These will be phased as follows:

£42,500 on completion of 50th dwelling
£85,000 on completion of 150th dwelling
£85,000 on completion of 250th dwelling
£85,000 on completion of 350th dwelling
£81,609 on completion of 450th dwelling

Contributions to be index linked to reflect changes in the Retail Price Index.

The commuted sum will be used by Stockton Borough Council to compensate for the loss of natural habitat within the development site through the delivery of new and enhanced habitats within the Borough, including:

- Thinning and other management of mixed plantation woodlands
- Creating lowland meadow from amenity grassland
- Restoration of existing meadow
- Pond / wetland creation

Specific site for the thinning/management of mixed plantation woodlands have been identified as follows,

Honey Pott Wood
Stillington Forest Park
Greens Beck
Thornaby Woods

Specific sites for meadow creation, meadow restoration and pond/wetland creation will be determined by Stockton Borough Council.

Previous Permissions

Cameron Hall Developments Ltd will not seek to implement the remaining 34 dwellings approved under Approval H/FUL/0574/99.

Community facilities

- Prior to the occupation of the 300th dwelling, the local centre comprising Doctors Surgery, Community hall/facility and small scale local shop units must

have been constructed in accordance with a detailed design to be first submitted to and approved in writing by the Council and be available for occupation with a requirement to manage and maintain the facilities for public use where applicable.

Cycleway link

To enter into a s278 agreement with the council prior to the occupation of the [50]th dwelling for the construction of a cycleway link between the development and the bridge and (subject to the cycleway being constructed by the NHS Foundation Trust pursuant to the development of the Hospital) a cycleway from the bridge to the cycleway network south of the A689 via a backroute from Wolviston to connect to the existing adopted highway [on Wynyard Road] and to bring the cycleway link into operation before the occupation of the 200th dwelling.

CONDITIONS:

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

Plan Reference Number	Date on Plan
N81-2192PL01	11 February 2013
N81-2192PL02 Rev D	21 February 2014

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

03. The development hereby permitted shall be begun either before the expiration of five 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.

04. Prior to commencement of development a Phasing Programme shall be submitted to and approved in writing by the Local Planning Authority which shall identify the phasing of infrastructure, landscaping, public open space, accesses and residential areas of the development hereby approved. Thereafter the development shall be undertaken in accordance with the Phasing Programme.

05. Within each phase, approval of details of the access, appearance, layout and scale of the buildings and landscaping of the site shall be in accordance with the details to be submitted to and approved by the Local Planning Authority before that phase of the development commences.

06. The development shall be implemented in general conformity with the approved Design and Access Statement and Parameter Plan submitted with the planning application.

07. Within each phase, details of all external finishing materials including roads and footpaths and all hard landscaped areas shall be agreed with the Local Planning Authority before that phase of the development is commenced. Thereafter the development shall be implemented in accordance with the

approved detail.

08. Within each phase, all means of enclosure, public art and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.

09. The total development hereby approved shall not exceed the following maxima:

Up to 500 Residential dwellings (C3 Use Class)

Up to 500 Sq.m. of Retail use (A1-A5)

10. Within each phase development shall not be commenced until details of the lighting columns, light colour and luminance have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

11. Within each phase, no development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO₂ emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations applicable at the time the scheme is submitted to the Local planning Authority for approval or when registered with building control, whichever is the sooner. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

12. Within each phase, no Development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space and play facilities by the developer in accordance with the Open Space, Sport and Recreation Supplementary Planning Document as part of the development, and such arrangements shall address and contain the following matters:

A) The delineation and siting of the proposed public open space

B) The type and nature of the facilities to be provided within the public open space including the provision of play equipment for all age groups including young children and teenagers which shall be supplied and installed to a specification as agreed by the local planning authority.

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

D) The arrangements the developer shall make for the future maintenance of the Public Open Space

E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed by the local planning authority.

13. Within each phase, no development shall occur until the design and layout of the road, footpaths and cycleways has been agreed with the Local Planning Authority. Thereafter the roads, footpaths and cycleways shall be implemented

as agreed unless otherwise agreed with the Local Planning Authority

14. Within each phase, a detailed scheme for landscaping and tree and/or shrub planting and grass including planting and construction techniques for pits in hard surfacing and root barriers shall be submitted to and approved in writing by the Local Planning Authority before the commencement of that phase of the development. Such a scheme shall specify stock types, stock sizes and species, planting densities; inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and 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 prior attained size and species unless the Local Planning Authority gives written consent to any variation.

15. Within each phase no development shall take place until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of the development, Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

16. For each phase, no development shall take place until details of the means for the storage and disposal of refuse 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.

17. Prior to the commencement of each phase of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

18 No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

19. No development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) 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.

20. Any part of the development which is to be used for residential purposes shall achieve a minimum of Level 4 of the Code for Sustainable Homes 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 details to discharge this condition or when registered with Building Control, whichever is the sooner.

21. All ecological mitigation measures within the Extended Phase 1 Habitat Survey

Wynyard Village Extension Delta-Simons shall be implemented in full in accordance with the advice and recommendations contained within the document.

22. Prior to the commencement of any works which may affect great crested newts and or their habitat, a detailed mitigation and monitoring strategy should be submitted to, and approved in writing by the local planning authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing.

23. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by iD civils (Ref: 3728/FRA1) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the impermeable areas to the existing greenfield run off rate so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. Details will be required of where and at what rate each discharge will be made.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

24. No development shall take place until a scheme for the provision and management of a 5 metre wide buffer zone alongside the watercourse 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 buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

*plans showing the extent and layout of the buffer zone

*details of any proposed planting scheme (for example, native species)

*details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan; and details of any proposed footpaths, fencing, lighting etc.

25. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

26. A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation works, this shall address 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, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

27. Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

28. A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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

30. Notwithstanding the proposals detailed in the Design and Access

Statement/submitted plans no phase of development shall commence until shade assessment drawings, detailing how the existing trees and the proposed planting will impact upon the proposed residential dwellings, are submitted and approved in writing by the Local Planning Authority. The approved development phase shall be carried out in full accordance with the findings of shade assessment drawings.

31. Before the first dwelling is occupied, vehicular and pedestrian access connecting the proposed development to the public highway shall be constructed to the reasonable satisfaction of the Local Planning Authority.

32. No development permitted by this planning permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- details of the drainage during the construction phase;
- details of the final drainage scheme, including sustainable drainage measures proposed;
- provision for exceedance pathways and overland flow routes
- calculations in support of the proposals;
- a timetable of construction;
- a construction quality control procedure;
- a plan for the future maintenance and management of the system and overland flow routes.

INFORMATIVES

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.