

DELEGATED

AGENDA NO

PLANNING COMMITTEE

17 DECEMBER 2014

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

12/2784/OUT

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).

Expiry Date: 20 February 2013

SUMMARY

Members will recall that this application was considered at the 1 April 2014 Planning Committee where Members resolved to approve planning permission subject to the applicant entering into a Section 106 Agreement and the target date for signing the agreement was 31 July 2014.

The applicant had advised that they are unable to meet this deadline and had requested an extension of time in order to finalise the legal agreement. An extension of time was granted for the 31st December 2014.

The applicant has advised that ever since the Planning Committee's decision on the outline planning application, they have worked hard to contract with house builders to ensure that housing delivery can take place at the site at the earliest opportunity. This process, which has taken time and significant resource, culminated with the submission of a detailed planning application (LPA Ref: 14/2993/EIS) on 17 November 2014 by Bett Homes and Story homes for 240 dwellings on a large part of the application site. That application remains 'live' and is with the Council for determination. The applicant contends that this demonstrates a clear commitment to ensure that the principle of development supported by the Planning Committee on the outline planning application is taken forward swiftly to ensure housing delivery within Stockton Borough Council.

The applicant also states that whilst significant progress on detailed delivery is being made with the submission of LPA Ref: 14/2993/EIS, given that that application is still undetermined and relates to part of the site, the applicant clearly wishes to maintain the underlying position on the principle of development established by the Committee's decision. An extension of the period of time to sign the Section 106 Agreement to the outline planning application would allow that.

It should be noted that deadlines for the signing of Section 106 Agreements are set to ensure that planning applications are determined within the target date, however in this instance the application is outside the target date so a deadline is not necessary.

Furthermore it is acknowledged that as with any large scale site there is a need to closely consider a range of technical and legal matters often with third parties and this can lead to delay. The applicant is committed to delivering housing on the site within a realistic and achievable timescale

and it is recommended that the resolution to grant planning permission should remain until the Section 106 Agreement is completed.

Recommendation:

That the resolution to grant planning permission should stand until the Section 106 Agreement is completed

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

WARD AND WARD COUNCILLORS

Ward	Northern Parishes
Ward Councillor	Councillor J Gardiner

IMPLICATIONS

Financial Implications:
As Report

Environmental Implications:
As Report

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

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

Background Papers
The Town and Country Planning Act 1990.
National Planning Policy Framework
Stockton on Tees Local Plan Adopted Version June 1997
Core Strategy Development Plan Document March 2010
Supplementary Planning Document 3: Parking Provision for New Developments
Supplementary Planning Document: Open Space, Recreation and Landscaping
Supplementary Planning Document 6: Planning Obligations