

Planning Committee

A meeting of Planning Committee was held on Wednesday, 17th December, 2014.

Present: Cllr Robert Gibson(Chairman), Cllr Gillian Corr(Vice Chair), Cllr Jim Beall, Cllr Michael Clark (Vice Cllr David Rose), Cllr Phillip Dennis, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Norma Stephenson O.B.E, Cllr Tracey Stott(Vice Cllr Mick Stoker), Cllr Steve Walmsley, Cllr David Wilburn.

Officers: Andrew Glossop, Barry Jackson, Peter Shovlin, Carol Straughan(DNS), Julie Butcher, Rob Smithson(LD)

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

Apologies: Cllr David Rose, Cllr Mick Stoker

P Evacuation Procedure

91/14

The Evacuation Procedure was noted.

P Declarations of Interest

92/14

There were no declarations of interest.

P Minutes from the meeting which was held on the 12th November 2014.

93/14

Consideration was given to the minutes of the meeting which was held on the 12th November 2014 for approval and signature.

RESOLVED that the minutes of the meeting held on the 12th November 2014 be approved and signed as a correct record by the Chair.

P 12/2784/OUT

94/14

**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 proposed application was originally considered at the 1st April 2014 Planning Committee where Members resolved to approve planning permission subject to the applicant entering into a Section 106 Agreement of which the target date for signing the agreement was 31st July 2014.

The applicant had since advised that they were unable to meet the 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 then advised that since the Planning Committee's decision on the outline planning application, they had worked hard to contract with house builders to ensure that housing delivery would take place at the proposed site at the earliest

opportunity. This process, which had 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 remained 'live' and was with the Council for determination. The applicant contended that this demonstrated a clear commitment to ensure that the principle of development supported by the Planning Committee on the outline planning application was taken forward swiftly to ensure housing delivery within Stockton Borough Council. The applicant also stated that whilst significant progress on detailed delivery was being made with the submission of LPA Ref: 14/2993/EIS, given that that application was still undetermined and related to part of the site, the applicant clearly wished 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 was noted that deadlines for the signing of Section 106 Agreements were set to ensure that planning applications were determined within the target date, however in this instance the application was outside the target date so a deadline was not necessary.

Furthermore it was acknowledged that as with any large scale site there was a need to closely consider a range of technical and legal matters often with third parties and this could lead to delay. The applicant was committed to delivering housing on the site within a realistic and achievable timescale and therefore officers recommended that the resolution to grant planning permission should remain until the Section 106 Agreement was completed.

Members considered the report and raised concerns by not having a fixed period of time for the Section 106 Agreement to be completed.

Members felt that a 12 month extension to the deadline for completion of the Section 106 agreement should be sufficient and preferable to an open ended resolution.

The motion was moved and seconded that a 12 month extension for the completion of the Section 106 agreement be granted. A vote then took place and the motion was carried.

RESOLVED that the resolution to grant planning permission should stand until 31 December 2015 to allow for the completion of the Section 106 Agreement.

P 13/0342/EIS
95/14 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 proposed application was originally considered at the 1st April 2014 Planning Committee where Members resolved to approve planning permission subject to the applicant entering into a Section 106 Agreement of which the target date for signing the agreement was 31 July 2014.

The applicant had since advised that they were unable to meet this deadline and had requested an extension of time in order to finalise the legal agreement. An extension of time had been granted for the 31st December 2014. Significant progress had been made in formulating the details of the Section 106 Agreement, however there remained some issues which required further discussion which were unlikely to be resolved prior to the deadline of 31st December 2014. It was noted that deadlines for the signing of Section 106 Agreements were set to ensure that planning applications were determined within the target date, however in this instance the application was outside the target date so a deadline was not necessary.

Furthermore it was acknowledged that as with any large scale site there was a need to closely consider a range of technical and legal matters often with third parties and this could lead to delay. The applicant was committed to delivering housing on the site within a realistic and achievable timescale and it was recommended that the resolution to grant planning permission should remain until the Section 106 Agreement was completed.

Members considered the report and as with the previous item, concerns were expressed by not having a fixed period of time for the Section 106 Agreement to be signed.

Members felt that a 12 month extension to the deadline for completion of the Section 106 agreement should be sufficient and preferable to an open ended resolution.

The motion was moved and seconded that a 12 month extension for the completion of the Section 106 agreement be granted. A vote then took place and the motion was carried.

RESOLVED that the resolution to grant planning permission should stand until 31 December 2015 to allow for the completion of the Section 106 Agreement.

P 14/1687/FUL
96/14 Land North Of South Avenue, Stillington, TS21 1JX
Construction of 39 houses including 19 affordable dwellings and other ancillary works including access and landscaping.

Consideration was given to a report on planning application 14/1687/FUL Land North Of South Avenue Stillington, TS21 1JX.

The proposed application was considered at the 12th November 2014 Planning Committee where Members resolved to approve planning permission subject to the applicant entering into a Section 106 Agreement by the 18th December 2014 and for the application to be refused if the Section 106 Agreement was not

signed by this date.

The applicant had advised that they were unable to meet this deadline and had requested an extension of time in order to finalise the legal agreement. Deadlines for the signing of Section 106 Agreement had been set in the past to ensure that planning applications were determined within the target date and to prevent potential approval of schemes significantly after the considerations of the application were made to ensure the considerations were all relevant and material to the recommendation. As the period for determination had already been extended the determination of the application target date had effectively also been extended. There were no known changes in planning policy within this time period which would affect the considerations initially forming the recommendation and decision for this application.

The Officers recommendation was that the application be determined in accordance with the previous Planning Committee decision to approve subject to the signing of the Section 106 Agreement.

Members agreed with the Officer recommendation and it was put forward that the new deadline for signing the Section 106 Agreement would be the 30 January 2015.

RESOLVED that the resolution to grant planning permission should stand until 30 January 2015 to allow for the completion of the Section 106 Agreement.