

Planning Committee

A meeting of Planning Committee was held on Wednesday, 16th December, 2015.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Stephen Parry(Vice-Chairman), Cllr Helen Atkinson, Cllr Gillian Corr, Cllr Eileen Johnson(Vice Cllr Nigel Cooke), Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Paul Kirton, Cllr Mick Stoker, Cllr Tracey Stott, Cllr Mrs Sylvia Walmsley, Cllr Sally Ann Watson(Vice Cllr Phil Dennis), Cllr David Wilburn,

Officers: Greg Archer, Fiona Bage, Barry Jackson, Peter Shovlin(DNS) Julie Butcher, Sarah Whaley(LD)

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

Apologies: Cllr Michael Clark, Cllr Nigel Cooke, Cllr Philip Dennis,

P **Evacuation Procedure**

70/15

The Evacuation Procedure was noted.

P **Recording of Council Meetings**

71/15

The Chair informed Members of the Committee and Members of the Public that the Planning Committee meeting was to be recorded as part of the Council's commitment to legislation permitting the public recording of public meetings, and in the interests of ensuring the Council conducted its business in an open and transparent manner. These recordings would be made available to the public via the Council's website. Members of the public present who preferred not to be filmed/recorded/photographed, were asked to make it known so that so far as reasonably possible, the appropriate arrangements could be made to ensure that they were not filmed, recorded or photographed.

P **Declarations of Interest**

72/15

there were no declarations of interest.

P **Minutes form the Meeting which was held on the 4th November 2015**

73/15

Consideration was given to the minutes of the meeting which was held on the 4th November 2015 for approval and signature.

RESOLVED that the minutes be approved and signed by the Chairman as a correct record.

P **15/1790/FUL**

74/15

Land at Manor House Farm, Old Hall and Land South Of Back Lane and East Of Butts Lane, Eggescliffe

Redevelopment of redundant farm sites for 12 no. dwellinghouses (Use Class C3) including restoration of listed building

Consideration was given to a report on planning application 15/1790/FUL Land at Manor House Farm, Old Hall and Land South Of Back Lane and East Of Butts Lane, Eggescliffe.

The application sought planning permission for the creation of 12 dwellings with associated car parking and landscaping, including restoration and extension of the grade II listed Old Hall at land at Manor farm, Egglecliffe.

The main planning considerations of the application were the compliance of the proposal with national and local planning policy, the impacts upon the character and appearance of the area, impact on heritage assets including listed buildings and the Egglecliffe Conservation Area, highway safety, flood risk, ecology and other material planning considerations.

The impacts of the proposal had been considered against national and local planning guidance and the development as proposed was considered to be in line with general planning policies set out in the Development Plan. The proposal was also considered acceptable in terms of highway safety, did not significantly adversely impact on the neighbouring properties and heritage assets including listed building and the character of the conservation area, ecology, archaeology, flooding and was recommended for approval with conditions as set out within the main report.

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

Neighbours were notified and the comments received were detailed within the main 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 contained within the main report.

The Planning Officers report concluded that the proposed development had been considered in the context of the consultee and consultation responses. The impacts of the proposal had been considered against national and local planning guidance and the development as proposed was considered to be in line with general planning policies set out in the Development Plan, was acceptable in terms of highway safety, did not adversely impact on the neighbouring properties and character of the Egglecliffe Conservation Area, Heritage assets including listed buildings and archaeology, ecology,

flooding/drainage and was recommended for approval with conditions for the reasons as detailed within the main report.

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

- The application was in conflict with Stockton's own development plan, and in conflict with the heritage requirements of the NPPF.
- The site fell outside the limits of development because it encroached on protected 'Green Wedge' land located within the River Tees Corridor. It also fell within the Tees Heritage Park.
- Egglecliffe was a small village dating back to the eleventh century, located in a largely rural setting. It was a unique almost untouched Georgian Agricultural Settlement. The village was rich with heritage assets, a designated conservation area with 30 listed buildings.
- The application site impinged on the protected 'Green Wedge' area beyond the village boundary and the land was described as having important heritage significance.
- The Applicant had not carried out a landscape or visual assessment, however the Council's own landscape character assessment and its review of 'Green Wedge' land described this part of Egglecliffe as having high landscape value, high visual amenity, high amenity value to the community and low capacity for change. The report stated that development would adversely impact on the historic landscape character of the area, including its rural nature, openness and its role as a strategic gap between the conurbations.
- In relation to the conflict with the NPPF heritage requirements that the development made a positive contribution to the character and distinctiveness of the grade 2 listed old hall buildings, the Applicant's design and access statement on this was inadequate. It failed to establish the history of the effected buildings and also describe its heritage significance or the value of their settings. The statement claimed that there was no detailed historical map in existence before the Ordnance Survey first edition in the 1850's, however the buildings did appear on an earlier map of 1841. The statement contained no proper analysis as to the architectural significance of the old hall or its buildings, nor did it contain any evidence as to the artistic significance of the views and its setting.
- The brick farm buildings which were to be converted and demolished were described as having low heritage value yet they pre-dated 1947 and were contained within the curtilage of the farmstead and formed part of the listed building settlement.
- Historic England had stated that the new housing development did not conform to the form detail and density of the existing historic built environment of the village. The intensification of land and increased tarmac formal drives would transform the character of the boundary of the conservation area and would not better reveal or enhance the village's assets.

- The development of the Old Hall would impact and diminish the domestic traditional character of the listed farmstead. The development could substantially harm the heritage assets of Eggescliffe Village.
- Eggescliffe had a historical legacy and was classified as a conservation area. There was a large number of historic buildings, a high percentage of which were listed, and together with a traditional Village Green, 12th Century Church with a number of old memorials were all evidence of visitors.
- A distinction from other areas was the working farm and the location alongside Tees Heritage Park and the 'Green Wedge' of farm land, however what made the village unusual and totally unique was the fact that it was a cul-de-sac with only one road entry and exit point. The Entry and exit point presented problems in relation to traffic management, however this had resulted in a strong sense of identity and community amongst residents. It was the Eggescliffe Community which was believed to be most at threat from further development and expansion of the village.
- An Objector expressed that it was his belief that 12 additional residences and the subsequent potential for further incremental expansion posed a significant risk to the dynamics and the character of the village.
- The development was believed to be inconsistent with a number of policy statements.
- It was felt that if the application was approved it would be detrimental not only to the Eggescliffe community but a lost asset to the future generations of Teessiders.
- The Church Warden of St Johns Church in Eggescliffe addressed the Committee with his concerns in relation to the effect the application would have on the Church and Parish Hall. The Church was a thriving part of the community and was open daily. The Church received many visitors on a daily basis including local people and those who had travelled from overseas. Services were held 6 days a week, with Sundays often having 3. The Church was popular for weddings which were frequently held on any day of the week. Due to the amount of services and events held at the Church a high quantity of people and vehicles would use the route along Butts Lane.
- Parking along Butts Lane and at the front of the Church caused major problems. The Parish Hall was also at the centre of the villages activities and like the Church was used daily.
- Parents would drop off and pick up children, early mornings, lunch times and evenings at the local School, Nursery and Playgroup which were also located on Butts Lane. School children would often cross the busy road on Butts Lane. Additional heavy construction vehicles and traffic in and out of the village would only cause additional problems. These concerns were evidenced in the photographs contained within the SK Transport Planning report of Butts Lane and the area immediately around the entrance to the Church and adjacent dwellings.
- The area was known to become frequently congested and at times completely

gridlocked. There were concerns that there was a serious risk of potential injury, and due to traffic issues a delay getting emergency vehicles to accidents. There was evidence of this when the local school had previously held a firework display which had not been repeated due to the concerns of the local Fire Service in relation to access along Butts Lane.

- Under conditions which had to be met by the Applicant, one such condition entitled 'Highway Works', proposed that the Applicant made access for the proposed development to the School via Church Road a more attractive and safer route for pedestrians. Church Road however was a narrow road providing access to approximately 17 homes, the Public House, Stoney Bank Lane, the School and the Parish Hall on Butts Lane and other parts of Eggescliffe. To one side of Church Road was a footpath of sufficient capacity to adequately serve pedestrians the full length of one side of the road. The other side of the road was served by a footpath that ran along approximately 75% of the road. During one residents time in the village of 12 years he was unaware of any incidents or safety concerns for pedestrians using Church Road, it was therefore totally unclear what the Applicant could possibly be planning to accomplish pedestrian safety, or how it could be made more attractive as it was and had remained an attractive road.

- The second condition was that the Applicant would encourage greater use of Stoney Bank Lane. There was a lack of clarity as to what was proposed to be done to accomplish this, or of what benefit this could be to the community. Stoney Bank Lane was already used by residents of Eggescliffe to visit Yarm, or by visitors to Eggescliffe coming from Yarm. This condition therefore would appear to be irrelevant.

- The third condition was that the Applicant was proposed to remove on street car parking by the provision of a dedicated resident's car park adjacent to the Old Hall site. The area under consideration to provide resident parking would create considerable restrictions for larger vehicles turning and exiting the site to return through the village. The vehicles would include refuse trucks, delivery vehicles and possibly emergency services.

- An objector expressed that Section 106(S106) of the Town and Country Planning Act 1990 to which the above conditions seemed to apply, failed to meet the requisite legal test under S106, namely that they were:

- 1) Necessary to make the development acceptable in planning terms.
- 2) Directly related to the development.
- 3) Fairly and reasonably related in scale and kind to the development.

- The development would lead to an incursion to the 'Green Wedge' and into the Tees Heritage Park.

- It was felt that this development was a Trojan Horse to gain access to the North bank of the River Tees and it was expected that more and more applications for dwellings and none dwelling developments would be put forward in and around Eggescliffe. Developments such as new school playing fields for Yarm School and a development for executive homes around Eggescliffe allotments.

- As residents it was fully understood and accepted that when a planning application was brought before the Planning Committee it had to be dealt with in isolation to other on-going or approved applications.

- Residents of Egglescliffe were trying to protect the future of the green spaces, heritage and the historical nature of the village.

- There were limited if any benefits to the local community from the proposed development which was reflected in the quantity of objections received. The objections indicated the significant concerns that the local community had about the proposals compared to a recently approved application for 8 houses on the same site which did receive local support.

- Historic England in their recent report to the Planning Officer stated that unlike the previous application, the demolition of agricultural buildings was regrettable. Manor House Farm was a fully operational farm that was an integral part of Egglescliffe Village, and to argue that the agricultural buildings proposed for demolition were a redundant site was misleading.

- Due to the difficulties large farm vehicles had gaining access to Manor House Farm through the village, the village green itself had been damaged as large lorries had driven straight across it. The Council had recently repaired the damage and following meetings with Senior Council Officers it was understood that Stockton Borough Council had to undertake a video survey of it. It was felt that this was an acknowledgement from the Council that there was a problem at this location as the roads around Egglescliffe were designed for horses and carts and not the modern day vehicles of today.

- In relation to the 5 year housing supply it was understood that Stockton Borough Council had not yet reached its 5 year supply of available land and an up to date Local Development Plan, however the Committee were urged to take note of the concerns raised by Historic England and the residents of Egglescliffe Village and reject the application.

- In 1967 the Labour Government passed the Civic Amenities Act which allowed for the establishment of the new concept of conservation areas. Over the following 2 years the Villagers in Egglescliffe considered the legislation and decided that the designation of the village as a conservation area would provide a much needed level of protection for the heritage of the village. Accordingly they approached Durham County Council but were told that although the proposal appeared to have merit the Council had insufficient resources at that time to prepare the necessary reports and documentation. The Villagers of Egglescliffe decided to do it themselves and produced a report which was submitted to Durham County Council and achieved conservation area status in 1971. The designated area included the fields between the cottages and the river to preserve the open views.

- Limited development was proposed only in Church Road and the grounds of Egglescliffe Hall. The report stated that:

1) An essential requisite to preserve the pleasant character of Egglescliffe was to retain the identity of the compact community by the prohibition of any major building works and any drastic changes in the use of land or buildings which

would introduce heavy traffic flow through the village.

2) Any large scale development would undoubtedly destroy the identity of Eggescliffe.

- In around 1996 without any consultation with the Villager, Stockton Borough Council unilaterally reduced the extent of the conservation area, removing from it most of the fields around the village. When the Villagers found out about it and objected to it, they were told not to have any concerns as the status of the land as a 'Green Wedge' would provide the village with essentially the same protection as if it was a conservation area. Stockton Borough Council Planning Department let the village down on the issue in 2012 where a proposal for a vast expanse of playing field by the river reached an advanced stage in the approval process. Fortunately the Planning Committee rejected the proposal.

- The Planning department were letting the village down again, and the village looked to the Planning Committee to reject the current proposal.

- A Director from SK Transport Planning addressed the Committee and explained that SK Transport Planning was representing the Eggescliffe Residents Association. During 2012 an application was submitted by Yarm School for the development of land to the South of Eggescliffe Village. The proposals required that all construction vehicles route through Eggescliffe Village. The impact of this was considered in great detail by the applicant, SK Transport Planning and the Council. The application was refused and the first reason for refusal was:

1) In the opinion of the Local Planning Authority the proposed access to the site by construction work traffic and machinery via Eggescliffe Village was unsatisfactory due to the restricted width of the access and proximity to a listed building and further the absence of control over the land or likelihood of gaining control over which the vehicles would be required to pass, therefore the development could not take place.

- The Applicant did not appeal against the decision. All construction vehicles and associated traffic would have had to use Butts Lane as well as negotiating the Village Green and to access the proposed development site. This was the same proposal in terms of access via Butts Lane that the Planning Committee were being asked to consider for the current application.

- SK Transport Planning had made technical representations to the Council which the Committee would have had access to. The work confirmed that large HGV traffic associated with the construction work could not negotiate the narrow heavily parked routes through the village without overrunning footpaths and the Village Green. The traffic would also route past listed buildings and the primary school on Butts Lane. Photographic evidence submitted by SK Transport Planning had been sent to all Committee Members which clearly showed the existing parking and congestion issues that would be created.

- A formal response from the Council and the Applicant had still not been received in relation to addressing all the matters raised in a letter which requested that the Applicant produce a construction management plan for review and sign off before the application was considered. The document

should confirm the size, type and frequency of routing of the HGV and construction vehicles. It should have also shown the swept paths of all construction traffic through the village and not just the development site. This would allow the Planning Committee to understand the proposals on the conservation area. Without the document it would simply not be possible to categorically confirm the development would not have an adverse impact on the village and conservation area.

- It was not understood how the Council could arrive at a positive recommendation on traffic and transport grounds and a request was made that the application be refused.

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

- The application was a result of many months work with Architects, Officers of the Council including Highways Officers, Conservation and Heritage Officers. It was important to note that the site already had planning permission granted for 7 dwellings, therefore the application before the Committee was for an alternative scheme with an additional 5 units.

- The scheme had been drawn up and designed by an award winning heritage architect.

- The previous scheme had a number of challenges in respect of its design and configuration, not least the number of habitable rooms with either limited or no external windows.

- The scheme itself restored and enhanced the setting of the Old Hall and was a carefully considered policy compliant scheme.

- The site itself was identified in the Conservation Area Management Plan as a location for infill development.

- The scheme incorporated traditional materials and vernacular design reflecting the agricultural heritage of the area.

- It was highlighted that paragraph 70 of the committee report dealt with matters raised in relation to issues surrounding 'Green Wedge'. Similarly the effect on the Tees Valley Heritage Park was dealt with within paragraph 67.

- In terms of the Farm, both the extant scheme with the benefit of planning permission and the current application provided for the existing farm to remain and continue in operation.

- With regard to Highways, this had been subject to careful assessment prior to the application being submitted. The matter to consider was whether the residual accumulative effect of the scheme was severe. 5 units beyond what had already been permitted could not be considered severe.

- The Highway improvements that were proposed and sought by condition were no different to those which were on the extant consent. Likewise when looking

at construction traffic the Construction Management Plan condition applied to the extant planning permission as it did to the newly proposed application.

- A survey would be undertaken both pre and post construction and any defects which may occur would be made good to the highway and/or the Village Green.
- An offsite compound and carpark and delivery location would be provided to avoid adverse effect to the highway network in and around Eggescliffe.
- The highway network already provided access for farm, delivery, removals and refuse vehicles. The network was capable of accommodating the proposed development.

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

- Was there a guarantee that the Old Hall would be repaired and brought up to standard with the development?
- Clarity was sought as to the delivery schedule of materials and that there would be no clashes with school dropping off or picking up times.
- What would become of the previous application which had been granted planning permission for 7 units if the proposal before the Committee was approved for 12 units?
- Was the farm a working farm?
- Further assurance was requested from Officers that there would be no adverse impact to the Tees Heritage Park as stated within the report.
- The application was an additional 5 properties, and opinion was sought from Officers as to which scheme would be preferred if both schemes were approved in relation to preserving the Old Hall. Were the further 5 properties not considered over development?
- The original scheme did not include the demolition of buildings however the new application did which was concerning .

Officers were given the opportunity to address the Committee in response to some of the concerns raised by Members. Their comments could be summarised as follows:

- In relation to the Old Hall it was confirmed that there was a condition attached to the consent requiring the restoration of the Old Hall.
- Officers explained that there would be a comprehensive condition in relation to the movement of vehicles to avoid any conflict with the operations of the local primary school.
- Should the proposal before the Committee gain approval then the site would have 2 consented schemes, however would only be able to choose one albeit at their own discretion.

- The Farm was a working farm however the farm buildings were largely redundant, if converted there would be a need for additional buildings in the future, which was achievable.

- In terms of the Heritage Park, the 'Green Wedge' designation, dealt with within paragraph 70 of the report stated that there was a legal judgement where 'Green Wedge' areas were restricted to the 'green fingers' identified on the Core Strategy Key Diagram. The impact of a scheme on landscape character would still be applied to sites outside of the 'green fingers', the 'Green Wedge' policy set out in policy CS10(3) could be applied outside of the 'green fingers'. The impact of the scheme however was viewed to be low and therefore there would be no detriment to the Heritage Park or what was the 'Green Wedge'.

- Both the schemes would have to be acceptable as impacts on heritage assets were vastly important considerations. There would be strengths and weaknesses to both schemes. There was not one scheme better than the other, both schemes worked in terms of the conservation area, impact on heritage assets, traffic and all the other material considerations.

- In relation to the demolition of the farm buildings there was a change to the original application as it now included the demolition of buildings around the Old Hall. The Applicant had undertaken further work in terms of the structural stability of those buildings and whether they could they be converted commercially. An assessment was taken in terms of what the replacement would look like and in the view of Officers the scheme did work with the benefits of the proposal outweighing any losses.

A vote then took place and the application was approved.

RESOLVED that:

Planning application 15/1790/FUL be approved subject to the following conditions and informatives below;

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

Plan Reference Number	Date on Plan
3610.10.01 Location Plan	13/07/15
3610.10.03 Demolition Site Plan	14/07/15
3610.10.04 RevG1 Proposed Site Plan - GF Plans	12/11/15
3610.10.05 Proposed Site Plan - Roof Plans	14/07/15
3610.50.01 Site North - Plot 1 A1	14/07/15
3610.50.02 RevB Site North - Plot 2	04/08/15
3610.50.03 RevA Site North - Plot 3-6 Plans	30/07/15
3610.50.04 RevA Site North - Plot 3-6 Elevations	30/07/15
3610.50.05 Site South - Plot 1-2	14/07/15
3610.50.06 Site South - Plot 3	14/07/15
3610.50.07 RevB Site South - Plot 4	04/08/15
3610.50.08 Site South - Plot 5 Elevations	14/07/15
3610.50.09 Site South - Plot 5 Plans	14/07/15
3610.50.10 RevA Site South - Plot 6	30/07/15

02. Provision of visitor car parking

Prior to the commencement of any construction works on site a scheme for the provision of a minimum of 3 number visitor car parking spaces to serve the proposed development, on land in control of the applicant to the north of plot 1 (south site) shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in accordance with the agreed details prior to the dwellings hereby approved being occupied and retained for the life of the development.

03. Listed Building Restoration

Before the new dwellings hereby permitted are occupied, a schedule of works (including all materials) shall be submitted for the listed building, The Old Hall. The proposed works shall be agreed in writing with the Local Planning Authority and the Old Hall shall have been repaired and restored completely in accordance with the approved plans and schedule of works prior to the occupation of the any of the dwellings hereby approved.

04. Highway Works

Prior to any construction works in pursuant of the consent hereby approved details of a scheme to improve the access from the proposed development to the primary school via Church Road to make it a more attractive and safer route for pedestrians and to encourage greater usage of Stoney Bank Lane shall be submitted to and approved in writing with the local planning authority. Prior to the occupation of any of the dwellings hereby approved the approved scheme shall be implemented on site to the reasonable satisfaction of the Local Planning Authority

05. External Materials

Notwithstanding the submitted drawings, prior to the commencement of construction of each building hereby approved a full schedule of works including materials for all external finishes shall be submitted to and agreed in writing by the local planning authority; the development shall then be carried out in accordance with the agreed details and retained in the approved condition thereafter.

Reason: Because the precise details of materials have not been submitted as part of the application

06. Construction management plan

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 and to 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.

07. Landscaping – hardworks

No hard landscaping works (excluding base course for access roads and car park) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority.

This shall include:

- All external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.
- Details of any street furniture and lighting. Such furniture shall be erected before the development hereby approved is occupied.

08. Means of enclosure

Prior to the commencement of the erection of any permanent boundary treatment, such as walls, fencing etc., details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

09. Landscaping – softworks

Prior to the commencement of soft landscaping works full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following: commencement of the development or agreed phases or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

10. Archaeological works

Recording of a heritage asset through a programme of archaeological works

A) No demolition/development shall take place/commence until a programme of archaeological work/building recording 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 demolition/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.

11. Foul and Surface water

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.

12. Construction operation hours

All Construction/Demolition operations including delivery/removal of materials on/off site shall be restricted to 08:00 – 18:00Hrs on weekdays, 09.00 – 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

13. Demolition and Dust Emissions

A scheme to control dust emissions as a result of demolition works, including dampening down, dust screens and wheel washers to prevent mud being deposited on the highway shall be submitted to and approved in writing with the Local Planning Authority prior to construction works commencing on site. The works shall be carried out in accordance with the approved details.

14. Ecology

The works shall be carried out in full accordance with the submitted E3 Ecology Bat report including mitigation and enhancement strategy dated October 2012 or any subsequent, superseding document.

15. Existing and proposed levels

Notwithstanding the submitted details prior to the commencement 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 proposed mounding and or earth retention measures (including calculations where such features

support the adopted highway) shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.

16. Removal of permitted development rights

Notwithstanding the provision of classes A,B,C,D, E & F of part 1 of the Town and Country Planning (General Permitted Development) England Order 2015 (or any order revoking or re-enacting that order) The dwellings hereby approved shall not be extended or altered in any way, including conversion of garages, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

17. Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority (details to be provided within 2 weeks) and works shall not be resumed until a remediation scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

18. Tree assessment

All trees on site and within 10m of its external boundary shall be indicated on the Site Survey Plan. These trees shall be assessed in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations section 4. The assessment should concur with the latest site plans and include for the following information:

A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm and all root protection areas.

A tree schedule as detailed in BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.

Details of any ground level changes or excavations within 5 metres of the Root Protection Area of any tree to be retained including those on adjacent land.

A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.

Details of any statutory of domestic services shall be designed in accordance with Volume 4: NJUG Guidelines For The Planning, Installation And

19. Tree protection

No development shall commence until a scheme for the protection of trees BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th November 2007 has been submitted to and approved in writing by the Local Planning Authority.

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. Car parking- The Grange

The car parking provision for the Grange, as shown on plan number 3610.10.04 Rev G1 shall be implemented in accordance with a scheme to be submitted and approved by the Local Planning Authority for the hard surfacing treatment and shall be carried out in complete accordance with the approved details prior to the works commencing on the existing garage block of proposed plot 2.

21. Renewables

Prior to the commencement of any of the development hereby approved a written scheme shall be submitted to and approved in writing by the local planning authority which details how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment as approved shall have been installed and brought into use to the written satisfaction of the local planning authority. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions

Informative 2: Construction/Demolition - Open burning

No waste products derived as a result of Construction/Demolition operations hereby approved shall be burned on the site.

Informative 3: Northern gas

The developer is advised to contact Northern Gas Networks prior to any construction works as there may be apparatus in the vicinity of the

development.

Informative 4: Bats

A European protected species licence will be required from Natural England prior to undertaking any building work and the applicant should contact Natural England directly.

Informative 5: Right of Way

Eggescliffe Foot Path No. 2 which is via the present farmyard gate should have safe access to the footpath at all times during construction

**P
75/15**

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).**

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 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 31st July 2014.

The applicant had advised that they were unable to meet this deadline and requested an extension of time in order to finalise the legal agreement. An extension of time was granted for the 31st December 2015.

The applicant had formally requested that this timescale was extended.

It should be noted that deadlines for the signing of Section 106 Agreements were set to ensure that planning applications are 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 and this was demonstrated through the Bett Homes and Story Homes recently approved planning application which was currently being implemented and the housing being delivered.

It was recommended that the resolution to grant planning permission should stand until the Section 106 Agreement was completed.

RESOLVED that the resolution to grant planning permission stands until the Section 106 agreement is completed.

P

13/0342/EIS

**76/15 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 sq.m),
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 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 31st July 2014.

The applicant had advised that they were unable to meet this deadline and requested an extension of time in order to finalise the legal agreement. An extension of time was granted for the 31st December 2015.

The applicant had formally requested that the timescale was extended.

It should be 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 and this was demonstrated through the submission of the draft Section 106 Agreement which was currently being considered by Council Officers and detailed discussions on the provision of a primary school to serve existing and future residents.

It was recommended that the resolution to grant planning permission should stand until the Section 106 Agreement was completed.

RESOLVED that the resolution to grant planning permission stands until the Section 106 agreement is completed

**P
77/15 PLANNING PERFORMANCE**

Members were asked to consider a report which updated members on the current performance of Planning Development Services for the first two quarters of 2015/2016.

In February 2015 the Planning Committee decided that the future reporting of performance to committee would be on a six monthly basis. The performance level for this year therefore remained at 75% for majors, 80% for minors, 88% for other applications and 75% for County matters.

The reporting timeframe ran from 1st April-31st March each year. This report

presented the performance of the first two quarters in that period, 1st April to 30th September 2015.

Performance results achieved for the first two quarters were 91.67% for major applications, 90.24% for minor, 95.74% for others and there were no County matters applications dealt with in that time frame. The results for the year to date were as shown in tables contained within the main report.

The Planning Committee noted the performance report and acknowledged the hard work and dedication of Planning Staff and colleagues within other service areas to determine applications within the target periods and improve performance and the reputation of the Council.

RESOLVED that the report be noted.

**P
78/15**

1. Appeal - Mr Robert Armitage - 1 Manor Cottages Thorpe Thewles - 15/0073/FUL - ALLOWED WITH CONDITIONS

2. Appeal - Mrs N Johnson - 15 Cavendish Walk Stockton - 15/1191/FPD - DISMISSED

3. Appeal - Sainsbury's Supermarkets Ltd - Whitehouse Farm Stockton - 14/2901/VARY - ALLOWED WITH CONDITIONS

The Appeals were noted.