

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

19 OCTOBER 2016

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT
SERVICES**

16/1024/REM

Land South Of Cayton Drive, Thornaby,

Application for reserved matters approval (appearance, landscaping, layout, access and scale) for the erection of 45 No. dwellings, access from Cayton Drive and ancillary works pursuant to outline planning consent ref:15/1466/OUT

Update Report

The Planning committee considered the application on the 6th July 2016 and 7th September 2016 which was based upon the officer's report and update report presented to committee (Appendices 4 & 5). The Officer recommendation was for approval subject to conditions and informatives.

In considering the proposal, the Planning Committee raised a number of concerns in relation to the proximity of development to the existing dwellings adjacent to the northern site boundary and due to the lack of a second access serving the development. The Planning Committee requested that these matters be looked into further and for the application to be placed back to the Committee at a later date. The applicant made some minor site layout changes although remained to propose a single point of access. On the 7th September, Committee considered the revised scheme and supporting information. Committee remained to be concerned over the scheme and deferred from making a decision and requested the applicant reconsider the scheme and ways in which to provide the 2nd access and reduce the impact on neighbours.

The applicant has now submitted an appeal with the Planning Inspectorate based on the Local Planning Authority's non-determination of the application. The appeal has not yet been confirmed as valid at which point the Local Planning Authority can no longer determine the application. It is anticipated that the appeal will be valid prior to the committee date and in such circumstances, the Local Planning Authority are required to provide the Inspectorate with information as to how they were minded to determine the application and thereafter make a case based on that 'minded to' decision.

In view of this, the application is now being placed before the Planning Committee to gain a 'minded to' decision. Should there be no valid appeal at the time the decision notice would be issued the "minded to" decision of the committee would stand as the formal decision.

The officer recommendation remains as that of the previous report which is to approve subject to conditions and informatives. The approved plans list from the main report have been amended as detailed within the previous update report and the conditions detailed below now form the current conditions being recommended. Officers stand by the earlier considerations within the previous reports as at appendix 4 & 5. Should committee still be minded to refuse the reserved matters scheme for the development of the site, it is strongly suggested that the lack of a second access for the site not be used as a reason for refusal as there is no technical support for such an objection from the Councils professional officers. With regards to Committee's concerns over the impacts on residents, it is accepted that members may disagree with officers on this point. Impacts

on amenity of existing residents is controlled by saved Local Plan Policy HO3(v) which requires new residential development to not '*result in an unacceptable loss of amenity to adjacent land users*' and the National Planning Policy Framework at paragraph 17 indicates a core planning principle as being to '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. Officers consider due regard has been had to the privacy and amenity impacts of the scheme on the occupiers of existing properties as detailed within the main report

Recommendation

That the Planning Committee resolve that it would have been minded to approve planning application 16/1024/REM subject to the following conditions and informatives;

Approved Plans

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

Plan Reference	Date Received
001F	30 th August 2016
002B	12 th August 2016
003C	12 th August 2016
004C	12 th August 2016
005B	12 th August 2016
006B	12 th August 2016
007D	12 th August 2016
008C	12 th August 2016
009	19 th April 2016
010A	12 th August 2016
011	2 nd June 2016
012A	12 th August 2016
013A	12 th August 2016
014A	12 th August 2016
017A	12 th August 2016

Reason: To define the consent

Landscaping details

02 Notwithstanding details hereby approved, no dwellings shall be occupied until a scheme of landscaping has been implemented on site in relation to each dwelling in accordance with a scheme of landscaping which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to achieve a suitable form of landscaping in accordance with the requirements of saved Local Plan Policy HO3.

Materials – prior to above ground construction

03 Notwithstanding any description of the materials in the application, no above ground construction of the dwellings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

Levels

- 04 Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for all properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the finished floor levels of adjoining land. The development shall be carried out in accordance with these approved details.

Reason: To take into account the properties position and impact on adjoining properties and their associated gardens in accordance with saved Stockton on Tees Local Plan Policy HO3.

Design of Boundary Treatments

- 05 Notwithstanding details hereby approved, the design of all boundary treatments within the site shall be in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to achieve a high quality development.

Director of Economic Growth and Development Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796

WARD AND WARD COUNCILLORS

Ward	Village
Ward Councillor	Councillor Ian Dalgarno
Ward Councillor	Councillor Mick Moore

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application.

Environmental Implications:

The environmental implications of developing the site were largely matters for the outline approval. The proposed layout assists in protecting the longevity of the trees on the southern site boundary. Green space will exist throughout the estate although in an entirely different form that that existing. There are no known notable environmental implications in determining this application.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. Comments received have all been taken into account although many relate to the principle of development which has already been established and are therefore not material to the consideration of the reserved matters. The proposed layout reasonably takes into account the implications on existing properties.

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. The site access and road layout are considered to be safe and the proposal would be served by the existing footpath network which is considered to be capable of taking the additional demand created by this scheme. There are no known community safety issues associated with the development.

Background Papers

Stockton on Tees Local Plan Adopted 1997

Core Strategy – 2010

Emerging

Regeneration and Environment Local Plan – Publication February 2015.

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD3 – Parking Provision for Developments