

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 16th August, 2017.

**Present:** Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chairman), Cllr Helen Atkinson, Cllr Carol Clark, Cllr O'Donnell (Vice Cllr Nigel Cooke), Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Matt Vickers (Vice Cllr Tony Hampton), Cllr Ross Patterson(Vice Cllr Gillian Corr), Cllr Eileen Johnson (Vice Cllr Paul Kirton), Cllr Marilyn Surtees, Cllr David Wilburn.

**Officers:** Elaine Atkinson, Simon Grundy, Peter Shovlin, Andrew Corcoran, Chris Renahan, Richard McGuckin(EDGS) Julie Butcher(HR,L&C) Kirsty Wannop(DCE)

**Also in attendance:** None

**Apologies:** Cllr Nigel Cooke, Cllr Tony Hampton, Cllr Gillian Corr, Cllr Paul Kirton, Cllr Tracey Stott, Cllr Mrs Sylvia Walmsley.

**P**        **Evacuation Procedure**  
**41/17**

The evacuation procedure was noted.

**P**        **Declarations of Interest**  
**42/17**

There were no interests declared.

**P**        **Draft minutes from the Planning Committee meeting which was held on**  
**43/17**        **the 5th July 2017.**

Consideration was given to the draft minutes from the Planning Committee Meeting which was held on the 5th July 2017 for approval and signature.

RESOLVED that the minutes from the meeting which was held on the 5th July 2017 be approved with the above amendment and signed by the Chair as a correct record.

**P**        **16/3035/OUT**  
**44/17**        **Land West Of St Martins Way, Kirklevington**  
**Outline application with for the erection of up to 90 dwellings and**  
**associated access (all other matters reserved)**

Consideration was given to a report on planning application 16/3035/OUT Land West Of St Martins Way, Kirklevington Outline application with for the erection of up to 90 dwellings and associated access (all other matters reserved).

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

The planning policies and outline planning considerations that were relevant to the consideration of the application were contained within the main report.

The Planning Officer report concluded that 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 National Planning Policy Framework makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot 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 visual impact and highway safety, it did not adversely impact on neighbouring properties, archaeology or the ecological habitat and flooding

It was considered that in the planning balance, although this proposal was out-with the limits for development, there were no designations on site or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing.

For the reasons stated above and detailed in the report it was recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms or such other heads of terms as may be agreed by the Director of Economic Growth and Development including an additional condition for the development not to commence until the development approved under 15/1643/Out had commenced or alternative provision of a bus service provided by this development, and to sign the 106 within 6 months.

Objectors attended the meeting and were given the opportunity to make representation. With the exception of those submissions already provided during the consultation period, and detailed within the report, objector's comments could be summarised as follows:

- The site had been previously refused at appeal
- The access road to the site was not suitable.
- Did not feature in SBC plans.
- Safety issue for children playing, walking or cycling.
- The village already had known sewage problems and this would only add to it.
- Adverse impact on the biodiversity of the area.
- The village was a level 3 non sustainable village.
- It was stated that the development would bring new jobs, this would only be during construction.
- Where would the expenditure be used in the Village.

- Until there was a bus service and shop in place the development was premature.
- 29 years ago an application on the same site was refused, nothing has changed
- Safety of the children with the extra traffic, especially the construction traffic.
- Members should be mindful of clause 32 of the NPPF
- There was still a number of unanswered questions regarding highway issues.
- Potential of an additional 1000 vehicle movements per day
- Highways issues that have been raised have not been addressed or responded to.
- NPPF says roads should be safe and suitable and this development is not safe and urged members to reject.
- Roads were there to serve 60 houses.
- There has been no consultation with the school.
- No safe crossing points for the young children to cross to get to school and was currently no 20mph speed limit.
- This development would make it unsafe for children to play on the green.
- The village had narrow roads and footpaths. It was explained that the footpaths followed a historic pattern. There had been no collisions in 5 years. Widening of the footways had been looked into but it was not possible.
- Northumbrian Water has objected to another development in the village due to the sewage situation therefore how this development could not have an impact on this.

The applicant was then given opportunity to make comments that could be summarised as follows:

- The development was in a sustainable area.
- Would support to the local economy and construction industry.
- Substantial contribution to the A67 junction
- No objections had been received from statutory stakeholders.
- New homes bonus of around £1m

Officers were given the opportunity to respond to comments/issues raised by Objectors. Their responses could be summarised as follows:

- Sustainability was based on 3 strands and had been fully assessed and this would be reliant on the bus service being brought in.
- No objection had been received from Northumbrian water to this application.
- Conditions had been placed on the application with regard the biodiversity.
- SBC take road safety seriously and all roads were inspected by road safety engineers and in their opinion although there would be increased traffic there was no increased risk.

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

- Bus service that was required was this for only 3 years?
- No safe walking route to Yarm
- Availability of schools places if it was agreed?
- Access road to development would be from a cul-de-sac additional access road should be required.
- It was anticipated the build would take approximately 10 years this was a long term impact for residents.
- Sustainability of this development was based on the bus route being provided therefore it was premature.
- Increasing the housing within the village by 50% would change the character of the village.

Officers were given the opportunity to respond to comments/issues raised by Members. Their responses could be summarised as follows:

- Development was sustainable. Bus service was for 5 years but hopefully if it was well used it would continue.
- Travel plan safe routes to Yarm had been assessed and was deemed safe.
- Education and availability of schools places would be assessed as the development was built out.
- No significant harm in terms of building in a village and the numbers.
- Development meets all highways policy standards in terms of increased traffic and layout of the roads.
- Using computer software roads have been assessed in terms of construction traffic accessing the site.

A vote then took place and the application was refused.

RESOLVED that planning application 16/3035/OUT  
Land West Of St Martins Way, Kirklevington be refused for the following reason:

In the opinion of the local planning authority the proposed development would result in a significant increase in vehicle movements thereby adversely impacting on the amenity of the existing residents through additional vehicle noise and general disturbance accessing the proposed development site, contrary to paragraph 17 of the National Planning Policy Framework.

**P 17/0224/FUL**  
**45/17 24 Forest Lane Kirklevington Yarm TS15 9LY**  
**Erection of 19no. residential dwellings, including new access, landscaping and infrastructure (Demolition of 24 Forest Lane).**

Consideration was given to a report on planning application 17/0224/FUL 24 Forest Lane, Kirklevington, Yarm Erection of 19 residential dwellings, including new access, landscaping and infrastructure (Demolition of 24 Forest Lane).

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

The planning policies and outline planning considerations that were relevant to the consideration of the application were contained within the main report.

The main considerations of this application relate to the principle of development, sustainability of the site, landscape and visual impact, layout and design, impact on neighbouring properties, highway related provisions as well as the impacts on drainage, ecology and archaeology.

In conclusion, as the site was within the limits to development and unallocated for any other use, the proposal was considered acceptable in principle, but subject to the consideration of details.

The development as proposed was considered to be acceptable in terms of meeting the three strands of sustainable development; visual impact and highway safety, it does not adversely impact on neighbouring properties, archaeology or the ecological habitat and flooding

For the reasons stated above and detailed in the report it was recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms.

Members of the public were in attendance at and were given opportunity to make representation that could be summarised as follows:

- Site has previous planning history and it would be unfair to object against it.

The applicant was then given opportunity to make comments that could be summarised as follows:

- Site was identified in 1997 local plan identified

- Suitability of the site.

A vote then took place and the application was approved.

RESOLVED that planning application 17/0224/FUL 24 Forest Lane Kirklevington Yarm TS15 9LY be approved subject to the following conditions and the signing of a s106 agreement within 6 months in respect of heads of terms set out in the report or as otherwise agreed by the Director of Economic Growth and Development. An additional condition was added that the development shall not commence until the development approved under 15/1643/OUT (as amended or varied in any way) had commenced as detailed below.

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

Plan Reference Number	Date on Plan
2804-D-20-007	2 February 2017
NT12873/ 002	27 January 2017
2804-D-20-004 REV C	6 February 2017
2804-D-20-003 REV C	27 January 2017
2804-D-20-002 REV F	2 February 2017
2804-D-20-001 REV C	27 January 2017
2804-D-90-004	27 January 2017
2804-D-20-005 REV C	27 January 2017
2804-D-20-010 REV B	27 January 2017
2804-D-90-02 REV A	27 January 2017
2804-D-20-006 REV B	27 January 2017
2804-D-90-003 REV K	27 January 2017
2804-D-90-001 REV A	27 January 2017

Reason: To define the consent.

### 03. Materials

Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development.

### 04. Flood Risk/Drainage

The drainage system to be adopted by Northumbrian Water Limited in relation to the proposed development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Surface Water Management Strategy" dated "December 2016". The drainage scheme shall ensure that foul flows discharge to the foul

sewer at manhole 1001, and ensure that surface water discharges to the surface water sewer downstream of the tank sewer 0202 at a maximum restricted rate of 5 l/sec.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

05. Discharge of Surface Water

The development hereby approved shall not be commenced on site, until a scheme of 'Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, The scheme shall include but not be restricted to providing the following details;

- I. Detailed design of the surface water management system
- II. A build program and timetable for the provision of the critical surface water drainage infrastructure
- III. A management plan detailing how surface water runoff from the site will be managed during construction Phase
- IV. Details of adoption responsibilities;
- V. Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;

The buildings hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

06. Construction Management Plan

No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;
- (ix) details of the routing of associated HGVs;
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and visual amenity.

07. Site Construction Access

No development shall take place (except for the purposes of constructing the initial site access) until that part of the access(es) extending 15 metres into the site from the carriageway of the existing highway has been made up and surfaced in accordance with the Councils Design Guide and Specification.

Reason: In the interests of highway safety.

08. Scheme for Illumination

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans full details of the method of external illumination, siting, angle of alignment; light colour, luminance of buildings facades and external areas of the site, including parking courts and pitches, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of external lighting and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining residents, highway safety.

09. Landscaping Softworks

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to commencement of soft landscaping works full details of Soft Landscaping has been 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.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

10. Tree Protection

No development shall commence until full details of proposed tree protection has been submitted to and approved in writing by the Local Planning Authority. Such protection shall comply with (Section 7, BS 5837:2005 and Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007 ). 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), which is available upon request.



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.

Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality that should be appropriately maintained and protected

#### 11. Maintenance Softworks

No development shall commence until full details of proposed soft landscape management has been submitted to and approved in writing by the Local Planning Authority.) The soft landscape management plan shall include maintenance access routes to demonstrate operations can be undertaken from publically accessible land, long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden [delete as required] shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the

- (i) Development ;
- (ii) or approved phases.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

#### 12. Recording of a heritage asset through a programme of archaeological works

A) No development shall 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.

This condition is derived from a model recommended to the Planning Inspectorate by the Association of Local Government Archaeology Officers.

### 13. Energy Statement

Prior to the commencement of the development, an energy statement should be submitted identifying the predicted energy consumption and associated CO2 emissions of the development, and provide details of the fabric U-values for the proposed buildings in order to demonstrate compliance with Part L (2013) building regulations. In accordance with Core Strategic Policy 3 (CS3), the predicted CO2 emissions of the development are required to be reduced by at least 10% through the use of onsite renewable energy equipment and / or design efficiencies, and these must exceed what is required to comply with Part L (2013) building regulations. The development should be completed in accordance with the agreed energy statement details.

Reason: To ensure a satisfactory form of development.

### 14. Ecology and mitigation

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed in the ecology survey; bat survey and subsequent updates unless otherwise agreed in writing by the local planning authority.

Reason: In order to adequately protect ecology and biodiversity in accordance with the principles of Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

### 15. Construction working Hours

No construction/building works or deliveries associated with the construction phase of the development shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties and to accord with saved Policy HO3 of the Stockton on Tees Local Plan.

### 16. Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, 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 prior to resumption of the works. Following completion of

measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: Due to the proposed development's proximity in relation to historical features, namely: 1956: Unknown filled ground pond, marsh, river, stream or dock. Less than 100m2 and in the interests of ensuring all land contamination is adequately addressed

17. Work shall not commence on the hereby approved development until work on the first dwelling on the "Jomast/Story Homes Site" (Outline Application reference 15/1643/OUT) has commenced.

Reason: In the interests of achieving a sustainable development in accordance with the requirements of the National Planning Policy Framework

**P  
46/17**

**17/0511/OUT**

**Braeside Kirklevington Yarm**

**Outline application with some matters reserved (appearance, landscaping, layout and scale) for a residential development comprising eleven dwellings, including two affordable homes Land At 18A**

Consideration was given to a report on planning application 17/0511/OUT Land At 18A Braeside, Kirklevington, Yarm.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained in the main report.

The consultees that had been notified and the comments that had been received were detailed within the main report. As were other comments received from members of the public.

The main report provided responses to a number of the concerns raised by objectors.

The development was an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicate otherwise having regard to the development plan. However the guidance in the National Planning Policy Framework makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot 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 visual impact and highway safety, it does not adversely impact on neighbouring properties, archaeology or the ecological habitat and flooding

It was considered that in the planning balance, although this proposal was out-with the limits for development, there were no designations on site or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing.

For the reasons stated above and detailed in the report it was recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms.

Objectors attended the meeting and were given the opportunity to make representation. With the exception of those submissions already provided during the consultation period, and detailed within the report, objector's comments could be summarised as follows:

- Land was very close to the sewerage works that had a raw channel with raw sewerage.
- Large vehicles collect sewerage. Until Northumbrian water resolves the issues the development should be refused.
- No green space, density of the houses needs looking at.

Officers were given the opportunity to respond to comments/issues raised by Objectors. Their responses could be summarised as follows:

- It was highlighted that Northumbrian Water had not objected to development but had placed a condition on the development should it be approved.
- The application was outline and the plans were indicative only

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

- Raw sewerage was it an open pipe carrying human waste surely if so environmental health would have objections to this?
- Had a risk assessment been done for future development?
- Has the impact of sewerage on existing houses been assessed?

Members requested that the item be deferred for further information from Environmental Health regarding the sewerage issues.

A vote took place and the item was deferred.

RESOLVED that the item be deferred for further information from Environmental Health regarding the sewerage issues.

**P**            **17/0793/OUT**  
**47/17**       **Land off Springfield Grove, Kirklevington**  
**Outline application with some matters reserved residential development**  
**comprising of 3no dwellings.**

Consideration was given to a report on planning application 17/0793/OUT Land off Springfield Grove, Kirklevington.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained in the main report.

The consultees that had been notified and the comments that had been received were detailed within the main report. As were other comments received from members of the public.

The main report provided responses to a number of the concerns raised by objectors.

The Planning officers report concluded that although the application site and proposed dwellings would lie outside of the limits to development, given the lack of a five year housing land supply the Local Planning Authority's existing housing delivery policies cannot be considered as up to date and the contribution towards additional housing albeit relatively limited, is a strong material consideration in the applications favour.

All the relevant material planning considerations had been considered and addressed within the report and the proposal was considered to be acceptable in those regards. Consequently it was considered that there were no adverse impacts from the proposed development that would cause such demonstrable harm that it would warrant a refusal of the application.

For the reasons stated above and detailed in the report it was recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms.

Objectors attended the meeting and were given the opportunity to make representation. With the exception of those submissions already provided during the consultation period, and detailed within the report, objector's comments could be summarised as follows:

- Photo of the parking issues and congestion generally in the area was taken at around 9am, it gets a lot worse later in the day.
- The cul de sac was an awkward shape and there was no way there was room for parking as it was.
- If three houses were approved it had been said that the applicant would then seek approval for a further 17 dwellings.

The agent was in attendance at the meeting and comments could be summarised as follows:

- Application was from a long standing village resident and the dwellings were for family members.
- The most sustainable proposal that would be put before

- 1 of the dwelling would be occupied by applicants daughter who works at the equestrian business immediately behind and would enable to walk from the house to work.

- The applicant did not wish to apply for any further dwelling should this be approved and no weight should be attached to that comment.

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

- Application was outside of development limits

- Previously refused an application elsewhere for a similar application therefore need to be consistent.

- Parking was already an issue this would only add to them.

Officers were given the opportunity to respond to comments/issues raised by Members. Their responses could be summarised as follows:

- Circumstances for this application were different and the site had been visited and assessed and it would not be out of character.

A vote then took place and the application was approved.

RESOLVED that planning application 17/0793/OUT Land off Springfield Grove, Kirklevington be approved subject to the following conditions and subject to a section 106 agreement being signed within 6 months in accordance with the heads of terms set out in the report or as otherwise agreed by the Director of Economic Growth and development with an additional condition not to commence the development until the development pursuant to 15/1643/OUT or 16/3035/OUT (if granted on appeal) had commenced.

Approved plans;

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

Plan Reference Number	Date on Plan
P100	22 March 2017

Reason: To define the consent.

Time limit for submission of the reserved matters;

02 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning.

Time limit for commencement;

03 The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

Reserved matters;

04 Details of the appearance, landscaping, layout, and scale of the development (hereinafter called the reserved matters) shall be in accordance with the details of a scheme to be submitted to, and approved by the Local Planning Authority before development commences.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 and to reserve the rights of the Local Planning Authority with regard to these matters.

Site and floor levels;

05 Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: To define the consent

Dwelling heights;

06 Notwithstanding any description or plans the hereby approved development shall be restricted in height to a maximum height of 6.5 metres.

Reason: In the interest of the visual amenities of the area.

Noise protection – traffic noise

07 No development shall take place until a scheme for the protection of habitable rooms within the dwellings from the effects of traffic noise has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To protect the amenity of the occupants of the dwellings from excessive traffic noise.

Retention of existing trees, shrubs and hedges

08 Notwithstanding the submitted information and prior to commencement of the development, a plan identifying the trees, shrubs and hedges to be retained on the site and an appropriate management plan for those trees, shrubs and hedges shall be submitted to and be agreed by the Local Planning Authority. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved details. Any tree, shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

Construction Management Plan;

09 No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- (i) the site construction access(es)
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- (vi) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site;
- (vii) measures to control and monitor the emission of dust and dirt during construction;
- (viii) a Site Waste Management Plan;
- (ix) details of the routing of associated HGVs;
- (x) measures to protect existing footpaths and verges; and a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and visual amenity.

Construction activity;

10 No construction activity or deliveries shall take place except between the hours of 0800 and 1800 on Monday to Friday and 0900 and 1300 on Saturdays. There shall be no construction activity on Sundays or Bank Holidays.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

Informative: Reserved Matters

When submitting the application(s) for reserved matters; the reserved matters should include the following details

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development



which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;  
"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;  
"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—  
(a) screening by fences, walls or other means;  
(b) the planting of trees, hedges, shrubs or grass;  
(c) the formation of banks, terraces or other earthworks;  
(d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and  
(e) the provision of other amenity features;

#### HEADS OF TERMS

Offsite Highway Works - The Owner shall enter into a Highways Agreement prior to the Commencement of Development to contribute to the delivery of the Crathorne Interchange Works/Green lane roundabout.

**P 16/1904/FUL**  
**48/17 Yarm School, The Friarage, The Spital**  
**Erection of wooden pedestrian and cycle bridge.**

Consideration was given to a report on planning application 16/1904/FUL, Yarm School, The Friarage, The Spital, Erection of wooden pedestrian and cycle bridge.

The planning policies and material planning considerations that were relevant to the consideration of the application were contained in the main report.

The consultees that had been notified and the comments that had been received were detailed within the main report. Comments received from members of the public were also provided.

Objections to the application related, primarily, to:

- the impact on Tees Heritage Park
- the risk of increased anti-social behaviour
- impact on residential amenity
- traffic impact on Egglecliffe village
- the need for the bridge.

The main report provided responses to a number of the concerns raised by objectors.

It was explained that the Planning Officer considered that the proposals were in line with general planning policies, set out in the Development Plan. The proposals were considered acceptable in terms of highway safety, impact on the neighbouring properties and character of the conservation Area, ecological habitat, archaeology and flooding. The application was recommended for

approval, with conditions as set out in the report.

Objectors attended the meeting and were given the opportunity to make representation. With the exception of those submissions already provided during the consultation period, and detailed within the report, objectors' comments could be summarized as follows:

- accessing the cycleway on the bridge would be extremely difficult for cyclists and there was much easier access via Yarm Bridge. The objector considered that the bridge was not needed and did not assist with sustainable transport.
- it was suggested that access to the construction site required permission to cross private land, which was unlikely to be granted.
- there had been no consultation with the community by Yarm private school.
- Objectors felt the construction of the bridge would have a negative impact on the lives of residents and the actual construction would be more disruptive than was anticipated.
- the bridge would provide a diving platform for swimmers, who would put themselves at risk; and a hazard for those accessing the bridge, who may have had too much to drink.
- there were concerns about investment and potential future costs, to the public, regarding the long term maintenance of the bridge.
- many of the people who had supported the bridge lived outside the area and it was submitted that their representations had been encouraged by the applicant, whilst the majority of the local community did not want the bridge.

A representative of the applicant spoke in support of the application, seeking to allay the concerns of objectors and highlighting benefits the bridge would provide. He explained that the bridge would be entirely funded by the school but would be available to the whole community; providing an asset to the town, assisting connectivity and tourism. He described the bridge as a high quality development, which was in-keeping with the area

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

- the Teesdale Way, leading to the proposed bridge, was a public footpath and not a bridle way, so cycling was therefore unlikely to be permitted. This had been confirmed by the Ramblers' Association.
- there was concern about Anti-Social Behaviour and use of drugs in the area.
- it was hard to see any significant benefit of the bridge as a cycleway, as users couldn't easily use the paths accessing it.
- there was adequate access, to the other bank of the river, over Yarm Bridge

- the visual impact to the river, and surrounding area, was likely to be negative.

The Planning Officer responded to the issues raised and referred to his advice, detailed in the main report.

A vote then took place and the application was refused.

RESOLVED that application 17/1904/FUL Yarm School, The Friarage, The Spital, Erection of wooden pedestrian and cycle bridge be refused for the reasons set out below:

01. In the opinion of the Local Planning Authority the proposed bridge would result in an unnecessary intrusion into the landscape/riverscape along the banks of the River Tees adversely affecting the character of the surrounding area contrary to policy CS3(8) of the Core Strategy and saved policy EN7 of the adopted Stockton on Tees Local Plan.

02. In the opinion of the local planning authority the proposed development would result in a significant increase in pedestrian movements thereby adversely impacting on the amenity of the existing residents through additional noise and general disturbance contrary to paragraph 17 of the National Planning Policy Framework.

**P  
49/17**      **1. Appeal - Mr James Sanderson - 5 Ashmead View, Stockton-On-Tees,  
TS18 4QG  
17/0085/FPD - DISMISSED**

**2. Appeal - Colin Atkinson - 11 Wear Crescent, Eaglescliffe,  
Stockton-On-Tees, TS16 0JP  
16/2928/RET - DISMISSED**

The Appeals were noted.