

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 7th February, 2018.

**Present:** Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chairman), Cllr Helen Atkinson, Cllr Derrick Brown, Cllr Carol Clark, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Tony Hampton, Cllr David Harrington, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Marilyn Surtees, Cllr David Wilburn

**Officers:** Elaine Atkinson, Bob Cowell, Simon Grundy, Stephanie Landles, Joanne Roberts, Peter Shovlin, Sam Tidy (EG&DS), Julie Butcher (HR,L&C) Sarah Whaley (A,D&ES)

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

**Apologies:** Cllr Mrs Sylvia Walmsley

### **P Evacuation Procedure**

**85/17**

The Evacuation procedure was noted.

### **P Declarations of Interest**

**86/17**

Councillor Paul Kirton declared a personal none prejudicial interest in relation to item 17/2170/COU 76 Leonard Ropner Drive, Stockton-On-Tees, TS19 7QQ as he was a member of the Ropner Playing Field Trust. Councillor Kirton did not vote on the item.

Councillor Lynn Hall declared a personal interest in relation to item 17/3013/LAF Six Fields, Hartburn, Stockton as she was a Ward Member for Hartburn and a contribution had been asked for from the Community Participation Budget which Cllr Hall had delegated to Cllr Matthew Vickers. Cllr Hall reserved the right to comment and vote on the item.

### **P 17/2810/REM**

**87/17**

**Site of Former Blakeston School, Junction Road, Norton  
Reserved matters application for the erection of a crematorium with associated memorial garden, associated access roads, car parking, landscaping, appearance, layout and scale.**

Consideration was given to a report on planning application 17/2810/REM Site of Former Blakeston School, Junction Road, Norton

Outline Planning permission was approved by Planning Committee on the 17th August 2016 for the erection of a crematorium with associated memorial garden, access roads, car park and landscaping with all matters reserved.

Following approval of the outline permission the application related to the reserved matters and approval was sought for the buildings with associated memorial garden, access roads, car parking, and landscaping.

No objections had been received, and Ward Councillors had confirmed their support.

As the principle of development had been accepted the main material

considerations in relation to the application were the finer details of the reserved matters, relating to the scale, layout and appearance of the development, the landscaping and access to the site.

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

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

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

The Planning Officers report concluded that overall it was considered that the proposed development was acceptable in terms of access, appearance, landscaping, layout and scale and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours.

It was considered that the reserved matters were in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation was to approve the reserved matters application subject to the conditions set out within the main report.

Since the original report, further responses from residents had been received. Their comments were detailed within the update report and the recommendation of the main report remained unchanged which was that the application be approved with conditions.

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

Members welcomed the application as this was a much-needed facility within the Borough.

Discussion took place in relation to the lack of future proofing in relation to access and egress as this was expected to be a well-used facility.

It was highlighted that members of the public had talked about bus lanes and bus services as there would be a need for residents to access the facility by public transport.

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

No bus operators had contacted Stockton Borough Council in relation to a bus service being provided currently.

A vote then took place and the application was approved.

RESOLVED that planning application 17/2810/REM be approved subject to the following conditions and informatives;

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

Plan Reference Number	Date on Plan
10125/500	15 November 2017
10125-700	15 November 2017
10125/501	15 November 2017
10125/502	15 November 2017
10125/503	15 November 2017
10125/600	15 November 2017
10125/601 Rev A	19 January 2018
10125/602	15 November 2017
10125-701 I224	January 2018

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

##### Informative: 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 gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

**P**            **17/2170/COU**  
**88/17**       **76 Leonard Ropner Drive, Stockton-On-Tees, TS19 7QQ**  
**Application for the change of use from residential garage (C3) to pet grooming salon (Sui Generis)**

Consideration was given to a report on planning application 17/2170/COU 76 Leonard Ropner Drive, Stockton-On-Tees, TS19 7QQ

Planning permission was sought for the change of use to convert a residential garage to a pet grooming salon at 76 Leonard Ropner Drive. The host dwelling was located within a residential estate on a corner plot location and a large area of open green space was to the north of the site (See Appendix B for the wider area).

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

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

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

The Planning Officers report concluded overall that it was considered that the proposed development accorded with planning policy within the Development Plan and National Planning Policy Framework and it was considered that there would be no adverse impacts on the character of the area or amenity of neighbouring properties. It was also considered that the development would not

have an adverse impact on highway safety and therefore there were no material considerations which indicated that the determination should not be in accordance with the Development Plan. It was therefore recommended that the application be Approved with Conditions for the reasons as specified within the main report.

The Applicant attended the meeting and was given the opportunity to make representation. The Applicants comments could be summarised as follows:

- The Applicant informed the committee that she wanted to reassure objectors and allay their fears by explaining how her dog grooming business was ran.
- The Applicant was currently running a dog grooming salon which she had done for approximately 7 years, where no complaints had ever been received against the applicant.
- In relation to objections made regarding barking / yapping dogs, the Applicant explained it would not be possible to groom a barking dog. The dogs that would be groomed would be arrive and stay with the Applicant for 2 full hours which was how long it took to groom a dog. A dog would never be left unsupervised.
- The maximum number of dogs groomed in a day would be 4.
- Objectors were invited to the Applicants salon to see how calm the environment, however the offer was not taken up.
- In relation to parking it was highlighted that there was enough parking on the site, for at least 3 cars at any one time.
- Where concerns had been raised relating to waste water, this would only equate to the same amount of water if the house was fully occupied. As it was, only the Applicant resided at the house currently.

An Objector attended the meeting and was given the opportunity to make representation. The Objectors comments could be summarised as follows:

- Discussion took place around parking provision.
- It was highlighted that the property that was seeking a change of use was originally built as a 4 bed home in 1997 and extended prior to 2011, where there was no mention of the removal of existing trees to provide additional car parking.
- Concerns were raised in relation to operating times and school holidays as it appeared these had been overlooked especially in relation to the nearby playing field which would be busy during those times increasing safety issues regarding traffic. Although there was traffic calming measures in place close to the property the objector felt that it did not resolve the restricted line of sight from motorists and pedestrians approaching from either direction.
- There had been no mention within the application of emergency vehicle access. There was only one entrance to the residential site, therefore part of the field opposite the property had originally been used as access and egress for

emergency vehicles?

- The Objector felt that there would be a loss of amenity and privacy to him and his family by the comings and goings of clients visiting 76 Leonard Ropner Drive. It was appreciated that the applicant was to be the sole employee but what would happen in the future once a precedent had been set in terms of business expansion, or the sale of the property, also who would enforce the conditions if the application was granted?

- There was a covenant on the site which stated there were to be no businesses ran on the estate.

- The objector felt that the value of his house would reduce if the application was approved.

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

- It was highlighted that the development the house was on was part of the Ropner Playing Field Trust and when the time the development was built it was agreed that there would be public open space. The entrance to the open space was directly opposite the proposed application and there was also a single yellow line on the road indicating no parking to stop the entrance of the playing field being blocked.

- The bend on the road directly in front of the playing field was considered dangerous especially as there would be children playing on the field.

- As this was a residential estate maybe this was not the best location for a business.

- Concerns were raised in terms of the line of sight due to the bend in the road and the addition of a parked car which would exacerbate the problem. It was suggested that mitigation measures be sought to stop cars parking on the bend.

- It was felt by some Members that there was adequate parking, dogs would be brought singularly, therefore a single car 3 or 4 times a day. As the parking would be on the Applicants property it was felt that there would not be any impact on the surrounding residents.

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

- Officers confirmed that the yellow line referred to by a Member was in fact a white line which was a standard highway marking associated with the speed hump. The white line was advisory indicating that there should be no parking, however there was no enforcement which could be applied to this.

- In terms of concerns raised relating to emergency vehicle access, current highways standards were that there was no requirement for any emergency access. When the development was approved however there was a highway requirement for emergency access which was now no longer applied.

- In terms of parking there was a planning condition to widen the drive to accommodate the additional space required.

- It was common place these days that people worked from home. If it was considered that there was to be less activity than currently thought at the proposed application site then the application may have fell into ancillary use and therefore the operation of the salon would not have been preventable.

- Officers explained also that if the owner owned multiple dogs, there was nothing that could be done about that. Likewise, there would be no control over the number of visitors coming and going to and from the property.

- Where concerns were raised relating to covenant and property value, Members were aware that these were not material planning considerations.

A vote then took place and the application was approved.

RESOLVED that planning application 17/2170/COU be approved subject to the following conditions and informatives below;

#### 01 Time Limit

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

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

Plan Reference Number	Date on Plan
2017/SG/02	10 January 2018
2017/SG/01	7 November 2017
SBC0001	7 November 2017

#### 03 Materials

The materials used in the construction of the external walls and roof of the development, hereby approved, shall match those within the existing main dwelling unless otherwise agreed by the Local Planning Authority.

#### 04 Opening Hours/ Number of Dogs

Notwithstanding the submitted information, the converted integral garage shall not be used for the use of dog grooming and no deliveries shall be taken outside the hours of 09:00am – 17:00pm Monday to Friday and no working shall take place on Saturdays, Sundays or Bank Holidays. The number of appointments or clients visiting the site shall be restricted to no more than four appointments per day, during the permitted hours of operation only.

#### 05 Driveway

Prior to the approved development being brought into use, the additional car parking space shall be provided in accordance with Plan 2017/SG/02 (date received 10.01.2018) and the parking provision shall be retained thereafter for the lifetime of the development. The hard-standing shall be constructed from porous/permeable materials or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house.

#### 06 Equipment

The equipment in association with the dog grooming business shall be restricted to those described with the submitted Business Model and associated noise emissions (date received 23rd January 2018) in which a stand dryer, a cabinet dryer and a clipper shall be used.

#### 07 Window/ Doors

The proposed front window and side single door as indicated on plan 2017/SG/02 (date received 10.01.17) shall not be open when the dog grooming equipment is in use.

#### 08 Drainage

Prior to the use of the hereby approved dog grooming business, a filter shall be attached to the domestic sink outlet within the host dwelling.

#### 09 Garage Conversion Works

Notwithstanding the submitted information, the hereby approved garage conversion shall be carried out in full accordance with the approved plans and such works shall be fully completed within three months of the date of this permission.

#### INFORMATIVE OF REASON FOR PLANNING APPROVAL

##### Informative: 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: Dropped Vehicle Crossing

The applicant should contact Care For Your Area 01642 391959 regarding the widening of the dropped vehicle crossing.

**P  
89/17**

#### **17/0775/OUT**

**Land Associated With Hunters Rest, Urlay Nook Road, Eaglescliffe  
Outline planning permission with some matters reserved (appearance, landscaping, layout and scale) for the erection up to 130 dwellings, associated infrastructure including access road and public open space.**

Consideration was given to planning application 17/0775/OUT Land Associated with Hunters Rest, Urlay Nook Road, Eaglescliffe.

As members were aware, the proposed application was presented to the Planning Committee on the 17th January 2018 with a recommendation for approval.

Members deferred the application requesting the applicant provide more information on drainage and also to wait until the rebased traffic model had been completed before determining the application. However, the applicant had lodged an appeal on grounds of non-determination and the Authority needed to give an indication as to what its intentions would have been.

Since the Committee the Highways Transport and Design Manager as the Lead Flood Authority had provided further clarification. Those Comments were detailed within the main report.

The recommendation of the main report remained unchanged, which was that the application be approved with conditions and Members were recommended to be minded to approve the application.

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

- clarity was sought in relation to tree protection prior to construction vehicles commencing on site.
- questions were raised regarding footpath links to the perimeter of the site and whether these linked to footpaths within the wider locality such as to the local schools and shops.
- in terms of drainage Members asked as to who was the lead local authority? assurances were needed so that the application was in line with the NPPF. Reference to surface water within the report indicated that SUDS would be needed, however there didn't appear to be any extent of the scale of these.
- as the site was on a slope was 130 properties ambitious in relation to water drainage as Northumbrian Water had expressed concerns regarding sewers running cross the site.
- In relation to the deferment at the previous meeting sufficient information was lacking in relation to drainage as the applicant had not provided sufficient information regarding the proposed development and surface water. Northumbrian Water also felt there was insufficient details provided in relation to the management of foul and surface water, however there now seemed to be a change of heart. Had further work been carried out? Also, if further work had been carried out could this information not have been provided at the previous meeting?
- Clarity was sought in relation to the update report and Highways England comments regarding Technical note 4 and what this meant.
- Officers were commended for the level of detail contained within the report, however there were still lots of maybes and ifs and only recommendations to the proposed developer to contact the Flood Risk Management Team, however it was felt that this was essential not just desirable and should have already been done to safeguard properties downstream which was one of the comments the Parish Council had made. Protection from the 30-year flood event was fair enough however this did not cover the terms of some people's mortgages which were beyond that. Major concerns were expressed in relation to flood risk combined with possible contamination and how it linked with the whole network of becks. Northumbrian Water also referred to the main sewers which crisscrossed the site.
- In relation to highways and the S106 agreement it was welcomed that the pressure on the Elton Interchange had been recognised as well as the Yarm



daily crawl. The trigger points for both bottle necks had been reached and needed to be addressed urgently.

- Clarity was sought as to when the latest traffic survey had been carried out as a local resident who had made representation highlighted that it had been carried out during a school holiday period. Questions were also raised as to whether traffic surveys had been carried out measuring pollution from stationary cars during peak times.

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

- In terms of tree protection and visibility splays, condition 9 addressed this issue prior to on site construction vehicles.

- where concerns were raised in relation to footpaths, there were footpaths with foot links to Tesco.

- Officers informed the committee that Stockton Borough Council was the lead local flood authority, and since the previous committee the Council had looked at the way they responded relating to the wording used regarding drainage and in future this would be changed to state that whilst full details had not been submitted officers were satisfied that required drainage could be achieved on site.

- In relation to SUDS and whether the proposed 130 houses were achievable, officers explained that the number of houses proposed was a maximum and if only 100 houses could be satisfactorily accommodated due to areas required for SUDS etc then that is what would happen, but no more than 130.

- In terms of the query raised relating to Highways England's comments regarding technical note 4, Members were informed that this referred to the wider area which was why Elton Interchange was considered. The update report highlighted that the developer had provided sufficient information for Highways England to be satisfied that there would not be an impact on the wider strategic network.

A vote then took place and the Members were minded to approve the application.

RESOLVED that Members be minded to approve planning application 17/0775/OUT subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below or other such terms as may be deemed necessary by the Director of Economic Growth and Development Services

#### 01 Approved Plans

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

Plan Reference Number	Date on Plan
CJM/122	March 2017
CAL020616 01 REV G	23 March 2017
1701801F	28 June 2017

## 02 Reserved Matters - Details

Notwithstanding the submitted plans, approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

## 03 Period for Commencement

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

## 04 Reserved Matters - Time Period for submission

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

## 05 Retention of existing trees shrubs hedge

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans as part of the reserved matters application a plan shall be submitted identifying the trees and hedges to be retained on the site. Details of a long term maintenance strategy for all trees and hedges indicated for retention from practical completion of the development shall be submitted to and be approved by the Local Planning Authority with the associated landscaping features being retained and maintained in accordance with the agreed details thereafter. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans. Any tree, shrub or hedge or 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

## 06 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 as part of the reserved matters scheme. 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). 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.

## 07 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.

#### 08 Site Construction Access

No development shall take place (except for the purposes of constructing the initial site access) until that part of the access 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.

#### 09 Creation of visibility splays (Removal of trees within verge)

Work shall not commence until visibility splays have been provided at the site entrance to the written satisfaction of the Local Planning Authority in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority.

#### 10 Footpath Links

As part of any reserved matters application precise details of a footway link to the perimeter of the site shall be submitted and approved in writing by the Local Planning Authority and implemented in accordance with the approved details

#### 11 Drainage

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 and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

#### 12. Discharge of Surface Water

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 2017 Reference: H76116/FRA/001 Rev B dated 17th June, limiting the surface water run-off generated by the impermeable areas of the development up to and including the 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This will be achieved by limiting surface water discharge from the development to 13.6l/sec. The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

### 13. Surface water management

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 building 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.

### 14 Discharge of Surface Water

No dwellings should be occupied until the surface water management system for the development or any phase of the development is in place and fully operational. A maintenance plan detailing how the surface water management system will be maintained during the construction phase must also be submitted and approved in writing by the Local Planning Authority.

### 15. Levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, details of existing ground levels both on site and at adjacent properties which bound the site, finished ground, and finished floor levels for the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

### 16.10% Renewables or fabric first

Prior to the commencement of any of the development hereby approved and unless otherwise agreed in writing with the Local Planning Authority as being unfeasible or unviable, 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 or the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superseding guidance. Before the development is occupied the approved scheme of reduction shall have been implemented on site and brought into use where appropriate. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

### 16. Ecology and mitigation

The development hereby approved shall only be undertaken on site in

accordance with the recommendations and mitigation as detailed in the Protected Species Surveys dated September 2017, undertaken by QUANTS Environmental Ltd and prior to development commencing on site an Ecological Mitigation and Compensation Strategy which includes a wildlife sensitive lighting strategy shall be submitted and approved by the local planning authority. Work shall be undertaken only in strict accordance with the agreed details.

#### 17. Great Crested Newts

Prior to the submission of details in relation to the reserved matters application details of the GCN licence from Natural England and associated mitigation shall be submitted to the local planning authority for approval, thereafter the development shall be carried out in accordance with the approved document.

#### 18. 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.

#### 19. Contaminated Land

An Intrusive Ground Investigation Report must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site (whether or not it originates on the site) to include for ground contamination screening and ground gas production, and an appropriate risk assessment undertaken. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, archaeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### 20. 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.

### INFORMATIVES

Informative: 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 gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

#### Informative: Discharge of Surface Water

Surface water discharges from this site shall be flow regulated to ensure that flooding problems elsewhere in the catchment are not exacerbated. The discharge rates from the site will be restricted to 13.6 l/sec with sufficient storage within the system to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event plus climate change surcharging the drainage system can be stored on site without risk to people or property and without overflowing into drains or watercourse. Full Micro Drainage design files (mdx files) including the catchment plan and 3D topographical survey must to be submitted for approval. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event plus climate change should also be provided.

The layout of any proposed development and sustainable drainage system should be designed to mimic natural drainage flow paths, utilising existing natural low-lying areas and conveyance paths where appropriate. This means considering the existing blue / green corridors across the proposed site and utilizing the natural low-lying areas for the surface water management system for the development. To mimic natural catchment process as closely as possible, a “management train” is required, it is fundamental to designing a successful SuDS system, it uses techniques in series to reduce pollution, flow rates and volumes. The detailed design must show flow routes, SuDS component section, sub-catchments, discharge and flow control locations, storage features and how SuDS integrate into the landscape

An allowance of 10% should be included within the detailed surface water drainage design for “Urban Creep”,

The developer will need to provide a detailed program including time table for the construction of the main surface water drainage infrastructure

The proposed development must not increase the risk of surface water runoff from the site or cause any increased flood risk to neighbouring sites. Any increase in surface water generated by the proposed development or existing surface water / groundwater issues on the site must be alleviated by the installation of sustainable drainage system within the site.

If the applicant proposes to discharge surface water into an ordinary watercourse a land drainage consent will be required from the Lead Local Flood Authority (LLFA). A land drainage consent is separate application that could take up to 8 weeks for completion and no works on the watercourse can proceed until consent has been approved by the LLFA.

The updated guidance states the new allowances for climate change now require both +20% scenario and a +40% scenario. Therefore new surface water drainage scheme designed within the Flood Risk Assessment/Drainage Strategies require at least three sets of calculations;

1. 1 in 30 year event;
  2. 1 in 100 year plus 20% climate change;
  3. 1 in 100 year plus 40% climate change;
- Drainage systems can be designed to include a 20% allowance for climate change;
  - A sensitivity test against the 40% allowance is required to ensure that the

additional runoff is wholly contained within the site and there is no increase in the rate of runoff discharged from the site. It must be demonstrated that there are no implications to people from the increased flood hazard (volume between 20% and 40% allowance). It is crucial that the additional runoff from the 40% is contained within the site and does not contribute to an increased flood risk to people/property/critical infrastructure/third parties elsewhere.

- If the flows cannot be contained within the site without increasing risk to properties or main infrastructure a 40% allowance must be provided.

The applicant must consider local guidance detailed in the 'Tees Valley Local Standards for Sustainable Drainage'. It is recommended that the applicant contacts the Flood Risk Management Team at an early stage to discuss surface water management requirements and their proposed surface water drainage solution for this proposed development.

#### Informative: Northumbrian Water

The developer should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely Soakaway; Watercourse, and finally Sewer. If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates & points into the public sewer network. This can be done by submitting a pre development enquiry directly to us. Full details and guidance can be found at

<https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6646. Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Application can then be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

Public sewers cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to their apparatus and will be contacting the developer direct to establish the exact location of the assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development.

#### 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

### Highways

Improvements to the A66 Elton interchange;  
Provision of a financial contribution towards car parking solutions within Yarm;  
A contribution towards the continuation of the bus service, (secured against planning application 13/2184/OUT (Urly Nook (Taylor Wimpey)), for a further 5 year period.

### Affordable Housing

The provision of a minimum of 15% affordable housing to be provided on site.

### Education

Contribution for both primary & secondary school pupils based on the council's standard formula.

### Open Space

Contribution towards open space/play facilities should it not be provided on site and maintenance agreements to be agreed.

**P  
90/17**

**17/0224/FUL**

**24 Forest Lane, Kirklevington, Yarm**

**Erection of 19 residential dwellings, including new access, landscaping and infrastructure (Demolition of 24 Forest Lane).**

Members recalled that the proposed application was considered at the 16 August 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 16 February 2018.

Due to the technicalities of the highway mitigation required and on-going negotiations in relation to the triggers, the Applicant had been unable to meet this deadline.

The Applicant had requested the Local Authority prepare the Section 106 Agreement which was currently being prepared which clearly demonstrated a clear commitment to ensure that the principle of development supported by the Planning Committee on the planning application was taken forward swiftly to ensure housing delivery within Stockton Borough Council.

It was noted that deadlines for the signing of Section 106 Agreements were



generally set to ensure that planning applications were determined within the target date or to ensure that the housing was delivered. Given the complexities of the case, a further six-month extension was sought for the Section 106 to be completed and signed and it was recommended that the resolution to grant planning permission should stand until the Section 106 Agreement is completed.

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

- Assurance were given to the committee that Duchy Homes were committed to delivering the site as soon as possible. The highways issues were incredibly complex and whilst there was continuous dialogue with officers the intricacies were such that the mitigation was taking some time.

A vote took place and the extension of six months to sign the S106 agreement was granted.

RESOLVED that the extension of six months to sign the S106 agreement be granted.

**P 17/3013/LAF**  
**91/17 Six Fields, Hartburn, Stockton**  
**Development of a water dependent habitat.**

Consideration was given to planning application Six Fields, Hartburn Stockton.

Planning permission was sought for the provision of a water dependant habitat, which included the creation of ponds and upgrading of footpaths and landscaping on land known locally as "Six Fields". The application site was outside the limits to development and part of the site was within Flood Zones 2/3.

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

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

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

The Planning Officers report concluded that the proposed development raised no concerns in relation to visual impact and highway safety, it did not adversely impact on neighbouring properties, archaeology or the ecological habitat and would have a positive impact on potential flooding.

It was recommended that the application be Approved with Conditions for the reason(s) as specified within the main report.

Members were presented with an update report which since the original report, further responses had been received from the Ramblers Association and Tees Archaeology, details of which were contained within the update report. The

recommendation of the main report remained unchanged, however an additional condition was recommended in relation to the recording and preservation of any heritage assets.

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

- Clarity was sought as to whether this was the Lustrum Beck relief scheme.
- It was highlighted that the application was in the sixth field of the six fields. A material consideration was in connection with the impact of the character of the appearance of the area. It was felt that the summary introduction of the report did not describe the site fully. The site was outside the limits to development but it was also classified as D5 and ENV5 on the emerging Local Plan, green wedge bordered by countryside and a locally designated nature reserve which could be enhanced by the proposed improvements. It was a buffer between the medieval village of Hartburn and the A66. It was only one of 2 sites where water voles were found within the Borough, therefore the scheme would need to be delivered in a specific time frame to cope with that.
- It was noted that some residents had reasonable concerns relating to parking and litter, however most people visited the site by walking.
- The proposal would help alleviate the larger Lustrum Back flood defence scheme.

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

- In terms of the questions raised relating to the Lustrum Back relief scheme. Officers confirmed it was part of the scheme and if approved it would have a positive impact on flooding.
- In terms of references made to water voles Officers explained that the scheme was in partnership with the Environment Agency who would take responsibility for the Water Voles to ensure they were protected.

A vote then took place and the application was approved with the additional condition in relation to archaeology.

RESOLVED that planning application 17/3013/LAF be approved subject to the following conditions and informatives;

Time Limit

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

Plan Reference Number	Date on Plan
SBC0001	18 December 2017
SBC0002	15 December 2017
SBC0003	15 December 2017
A10576-SF-01	15 December 2017
A10576-SF-03	15 December 2017

## 02 Ecology

Works should be undertaken in complete accordance with the design and access statement dated 15 December 2017.

## 03 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 prepared, which is subject to the approval in writing of the Local Planning Authority.

## 04 Construction/Demolition Noise

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.

## 05 Archaeology

Recording of a heritage asset through a programme of archaeological works and preservation of a heritage asset during construction.

A) No development shall take place/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 point (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 point (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

## INFORMATIVE OF REASON FOR PLANNING APPROVAL

### Informative: 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 gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

Informative: Giant Hogweed and Japanese Knotweed

Giant Hogweed and Japanese Knotweed have been recorded on site and in the vicinity so precautions will be needed to ensure these non-native, invasive species are not transferred off site. Where invasive non-native species (INNS) occur on site the applicant should undertake proper removal in accordance with UK legislation. Biosecurity measures need to be in place for the duration of the works and strictly adhered to by all site operatives. As a minimum the Check Clean and Dry campaign should be followed. The presence of INNS on site presents a biosecurity risk that should be minimised ahead of construction on site. Where these invasive species occur, mark out areas of stands and maintain these as a no-work area. These shall be treated, removed and disposed of as controlled waste. Where Giant Hogweed occurs, a 4m radius around the plant must be maintained as a no-work area. Where Japanese knotweed occurs, a 7m radius around the plant must be maintained as a no-work area. Where works are undertaken adjacent to watercourse, operators must abide by Environment Agency Pollution Prevention Guidelines.