

Planning Committee

A meeting of Planning Committee was held on Wednesday, 4th July, 2018.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chairman), Cllr Helen Atkinson, 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 Mrs Sylvia Walmsley, Cllr David Wilburn

Officers: Stephanie Landles, Peter Shovlin Simon Grundy, (EG&DS), Julie Butcher (HR,L&C), Sarah Whaley (A,D&ES)

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

Apologies: Cllr Derrick Brown

P Evacuation Procedure

19/18

The Evacuation Procedure was noted.

P Declarations of Interest

20/18

There were no declarations of interest.

**P Minute from the meeting which was held on 23rd May 2018 for approval
21/18 and signature.**

Consideration was given to the Draft Minutes of the Planning Committee Meeting which was held on the 23rd May 2018 for approval and signature.

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

P 17/2546/OUT

22/18

14 Wellington Drive, Wynyard, TS22 5QJ

Outline application with some matters reserved (landscaping, scale, appearance and layout) for the erection of up to 7 no residential dwellings (use class C3) with associated access, infrastructure works and the erection of a new garage (demolition of existing garage)

Consideration was given to planning application 17/2546/OUT 14 Wellington Drive, Wynyard, TS22 5QJ

Outline planning permission was sought for the erection of 7 dwellings and access with all matters reserved. The dwellings were proposed to be self-build properties. The application site was 14 Wellington drive Wynyard, which currently housed a large detached dwelling which was to be retained.

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 in view of the considerations detailed within the report and whilst acknowledging those objections received, the principle of residential development on the site was considered to be acceptable for the reasons outlined. The proposed development and the impacts of the proposal had been considered against national and local planning guidance and had been considered in detail.

The scheme was considered to be visually acceptable and was in keeping with the characteristics that could be expected from a modern housing development and respected those characteristics in the surrounding area including the impacts on heritage assets.

Provision for adequate landscaping could be made and the indicative separation distances provided would ensure that acceptable standards of residential amenity for both neighbouring occupiers as well as future residents of the development were delivered. The access arrangements were acceptable and sufficient curtilage car parking could be achieved.

It was recommended that the application be Approved with Conditions for the reasons as contained within the main report.

Members were presented with an update report which since the original committee report the proposed conditions were discussed with the agent and minor changes to the wording of the conditions had been suggested to reflect the self-build nature of the proposed development. The revised details did not change any of the material planning considerations as outlined in the committee report and the recommendation and suggested conditions remained as detailed within the original planning Committee report except where detailed within the update report.

There were no members of the public wishing to make representation.

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

- Members expressed concerns in relation to Historic England's and the Garden Trusts objections to the application and the fact that officers had merely noted those objections within the report.
- Members were confused as to whether the development encroached on parkland as there seemed to be contradictory information contained within the report. It was also noted within the report that current properties within the vicinity had degraded the historic parkland. Questions were raised as to whether this was acceptable to continue to do so?
- It was highlighted that reference was made to 'Retention of view from the south through Wellington Manor', Members queried this as a view was not a material planning consideration.
- Assurance was sought that the access and egress had been agreed in advance.

Officers were given the opportunity to respond to Members queries / questions. These could be summarised as follows:

- Officers highlighted the boundary of the development on the site plan which indicated that there was a ditch which formed the boundary of the historic park and that the development was to be built only in the gardens of Wellington Manor.
- Officers highlighted that the Wynyard development over time had been developed around the historic park where the original open views of Wynyard Estate had been impinged by the development of housing, however this development would retain a degree of openness, and this had been summed up by the case officer within the report.
- Officers also highlighted to Members that it was worth noting that there was a fall-back position for the existing property, they could plant trees and close off the view and there would be nothing that could be done. They could also put up a building as part of their residential curtilage which would not require planning permission. All of these factors had been taken into consideration and officers came out with a view that slightly differed with that of Historic England and the Gardens Trust.
- It was confirmed that there was no right to a view in terms of planning considerations.
- Officers explained that in terms of access and egress, it did conform to the design guide and specification that officers always worked to.

A vote then took place and the application was approved.

RESOLVED that planning application 17/2546/OUT be approved 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;

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

Plan Reference Number	Date on Plan
2474 (PL) 05 G	June 2018
2474 (PL)06	August 2017
2474 PL(02B)	July 2017
LTP 2900/T1/01/01A	August 2017
2474 (PL) 03 A	June 2018

02. Reserved Matters - Time Limits

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

03. 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 five years from the date of this permission.

04. Reserved Matters - Details;

Approval of the details of the scale, appearance and layout of the buildings and the landscaping of the site (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.

05. General conformity;

The proposed siting of the dwellings hereby approved, to be submitted at reserved matters stage shall be in general conformity with drawing ref. (PL) 05 Rev G (Proposed Site Plan) date received 4th May 2018:

06. Design Code;

Prior to the submission of any Reserved Matters application(s), a Detailed Design Code shall be submitted to and agreed in writing with the Local Planning Authority. All applications for Reserved Matters approval shall thereafter be accompanied by a Design Statement which shall explain how the proposal conforms to the requirements of the approved Detailed Design Code.

07. Levels;

Prior to the commencement of development, details of the existing and proposed levels of the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Thereafter the finished floor levels required for the individual plots shall be submitted to and approved in writing by the Local Planning Authority on a plot by plot basis as part of the reserved matters. Such a scheme shall indicate the finished floor levels and levels of the garden areas of the individual plot and adjacent plots. Development shall be carried out in accordance with the approved details.

08. 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. Furthermore, prior to the commencement of development of individual plots, details shall be provided on a plot by plot basis relating to the disposal of foul and surface water from that individual plot and its connection to the wider drainage scheme. Thereafter the development shall take place in accordance with the approved details.

09. Sustainable surface water drainage scheme;

The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a

Sustainable Surface Water 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 outwith the individual plots
- 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 occupied 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.

10. Plot Boundaries;

No development on any individual plot shall commence until the boundaries of all the individual plots have been identified and demarcated on site in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The scheme identifying and demarcating the plots shall thereafter be maintained as approved during the construction phase unless some variation is otherwise agreed in writing by the Local Planning Authority.

11. Recording of a heritage asset through a programme of archaeological works

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 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.

12. 10% Renewables;

No development shall take place on each individual plot hereby approved until the Local Planning Authority has approved in writing a report provided by the applicant identifying how the predicted CO₂ emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

13. Construction activity;

No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 9.00a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).

14. 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.

15. Access;

No part of the development shall be occupied until vehicular and pedestrian access connecting each plot of the proposed development to the public highway and servicing provisions have been achieved to the satisfaction of the Local Planning Authority. In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area

16. Shade assessment drawings;

Notwithstanding the submitted information, prior to the commencement of the development, shade assessment drawings detailing how the existing trees will impact upon the proposed residential dwellings shall be submitted and approved in writing by the Local Planning Authority. The hereby approved development shall be carried out in full accordance the findings of shade assessment drawings.

17. Ecological mitigation;

All ecological mitigation measures shall be carried out in accordance with the submitted ecological report prepared by Naturally Wild (September 2017) and shall be implemented in full in accordance with the advice and recommendations contained within the document.

18. Arboricultural method statement;
Notwithstanding the proposals detailed in the Design and Access Statement/
submitted plans no development shall commence until an Arboricultural Method
Statement and Tree Protection Plan is approved in writing by the Local Planning
Authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition
and construction – Recommendations
2. NJUG Guidelines For The Planning, Installation And Maintenance Of
Utility Apparatus In Proximity To Trees (Issue 2) – Operatives Handbook 19th
November 2007

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.

HEADS OF TERMS

- Contribution for affordable housing provision in line with the Councils
formula or affordable off site provision
- Offsite contribution to Highway infrastructure as the site will form part of
the proposed housing allocations identified within the Wynyard Park and
Wynyard Village area, contribute towards the identified mitigation measures on
an equitable basis
- Offsite open space contribution at Wynyard Woodland Park of
£33,934.25

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working Practices

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

Informative 2: Reserved Matters

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

Informative 3: Northumbrian Water Authority

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

Informative 4: Surface water Drainage

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 5l/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 intergrate into the landscape

The FRA makes no reference to "Urban Creep", an allowance of 10% should be included within the detailed surface water drainage design

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 or undertake works on the existing drainage ditch 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;
- o Drainage systems can be designed to include a 20% allowance for climate change;
 - o 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.
 - o 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 5: Access

The applicant will be required to enter into a s38 Agreement for the upgrading and subsequent adoption of the main access to the site.

Informative 6: Northern Gas

Northern Gas Networks has commented that there may be apparatus in the area that may be at risk during construction works and the application should contact directly to discuss any requirements in details. Should diversionary works be required these will be fully chargeable.

P 18/1179/FUL
23/18 Construction of new Multi Use Games area
Land East Of The Forge Community Resource Centre, Clive Crescent,
Norton

Consideration was given to planning application 18/1179/FUL Construction of new Multi Use Games area Land East Of The Forge Community Resource Centre, Clive Crescent, Norton.

The application sought planning permission for the erection and installation of a Multi-Use Games Area (MUGA) on a parcel of grassed area within the open space adjacent to The Forge Community Resource Centre, Norton. The scheme comprised an area of approximately 25m x 18m with a steel and mesh enclosure to the MUGA to provide basketball hoops, football goals and cricket wickets.

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 impacts of the proposal had been considered against National and Local Planning Policy and were considered to be in line with general planning policies. The development was acceptable in terms of highway safety, would not adversely impact on the neighbouring properties or drainage. Overall the nature and scale of the proposed development, subject to the recommended conditions, was considered to be acceptable.

It was recommended that the application be Approved with Conditions for the reasons as detailed within the main report.

Member were presented with an update report which since the original report to members, a revised plan had been received. Plan Reference A10576_01 received by the Local Planning Authority on the 2 July 2018.

The revised plan was not proposing any alterations to the proposed development; it was required as a technical error meant that the proposed MUGA was scaling off larger than the stated 25 x 18 metres. The revised plans now scaled at the stated size 25x18m. The total area covered by the proposed development, including the proposed path, totalled 555sqm.

Following the receipt of the revised plans and for the purpose of clarity the update report detailed the separation distance between the closest residential properties and the proposed MUGA.

An outstanding consultation response from Northumberland Water had also been received, this was also contained within the update report.

The revised plan and additional consultation response did not alter the recommendation of the main report, which was that the application be approved with conditions.

There were no members of the public wishing to make representation.

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

- Questions were raised in relation to flood lighting and whether this had been included within the application.

Officers were given the opportunity to respond to questions raised by members. These could be summarised as follows:

- In terms of flood lighting although there was no lighting included for the application at this stage, the application had been future proofed should funding become available therefore lighting could be added at a later date.

A vote then took place and the application was approved.

RESOLVED that planning application 18/1179/FUL be approved subject to the following conditions and informatives detailed below;

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

Plan Reference Number	Date on Plan
SBC0001	22 May 2018
SBC0002	22 May 2018
SBC0003	22 May 2018
A10576_01	4 July 2018
A10576_02	22 May 2018

02. No construction/building works or deliveries 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.

03. Prior to the commencement of the development hereby approved, the finishing materials/colour scheme and layout of the Multi Use Games Area shall first be submitted to and agreed in writing by the Local Planning Authority.

04. Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures (other than as approved by this permission) erected without the written approval of the Local Planning Authority.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Lighting

The application does not include the provision of a lighting scheme. Should at any stage it be decided to incorporate lighting into the scheme this will require the benefit of planning permission. This application should include detailed plans including the specification of the proposed lighting, how the lighting will be managed and be supported by a light spillage report.

Informative: Knotweed

Japanese Knotweed has previously been found on part of the site. If any evidence is found during the construction of the development this shall be treated and managed in compliance with government guidelines set out by the Environment agency (Knotweed code of practice).

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.