

## Planning Committee

A meeting of Planning Committee was held on Wednesday, 23rd October, 2019.

**Present:** Cllr Norma Stephenson O.B.E (Chairman), Cllr Mick Stoker (Vice Chairman), Cllr Jacky Bright, Cllr Carol Clark, Cllr Helen Atkinson (Sub Cllr Chris Clough), Cllr Lynn Hall, Cllr Tony Hampton, Cllr Jean O'Donnell (Sub Marilyn Surtees), Cllr Paul Kirton, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Luke Frost (Cllr Steve Walmsley), Cllr Mrs Sylvia Walmsley

**Officers:** David Bage, Simon Grundy, Stephanie Landles, Martin Parker (EG&DS), Julie Butcher (HR, L&C), Sarah Whaley (MD).

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

**Apologies:** Cllr Chris Clough, Cllr Eileen Johnson, Cllr Marilyn Surtees, Cllr Steve Walmsley

### **P Evacuation Procedure**

**36/19**

The Evacuation Procedure was noted.

### **P Declarations of Interest**

**37/19**

There were no declarations of interest.

### **P Draft Minutes from the Planning Committee meeting which was held on 38/19 the 25th September 2019**

Consideration was given to the minutes of the Planning Committee Meeting which was held on the 25th September 2019.

Members agreed the minutes from the meeting held on 25th September 2019 subject to the following amendment at minute no. P 33/19.

' In terms of highways concerns, Officers informed Members that current guidance did not state at what time of day speed surveys should be undertaken ie at peak hours. If a traffic survey was taken at peak time then the speed of the traffic would be much slower reducing the average speed even further. The responsibility in terms of providing traffic surveys was that of the applicant and not the authority. Officers did confirm that speed surveys indicated that sight lines for 40mph speed limit were acceptable'

RESOLVED that the minutes from the Planning Committee meeting which was held on 25th September 2019 be approved and signed as a correct record subject to the amendment as detailed above.

### **P 19/0144/FUL**

**39/19**

**Chesterfield, 6 - 7 Mill Lane, Norton**

**Part retrospective application for the conversion of redundant school offices to form 11No. apartments and the erection of three 2 storey dwellings.**

Consideration was given to planning application 19/0144/FUL Chesterfield, 6 - 7 Mill Lane, Norton.

The planning application sought planning permission for the conversion of the school offices and the erection of three, two storey dwellings to the rear of the main building. Work on converting the building into apartments had already begun, but no works on the construction of the dwellings at the rear of the site had begun.

The application had been submitted to address a number of changes to the original scheme and to allow for the increase in the number of apartments by one unit. To the rear where the proposed dwellings were approved, the position, style and scale had been amended since the original scheme with those units being separated out to break up the overall massing.

In addition information was also provided to enable the discharge of conditions which had not yet been discharged from the original planning application (17/2887/FUL).

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 for the reasons set out within the main report it was considered that the proposed development was acceptable in all planning regards and therefore the application was recommended for approval subject to those conditions set out within the main report.

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

- a neighbouring resident to the application site explained to the Committee that he had initially supported the original application however the newly proposed scheme impacted on his privacy. There were also issues in terms of the boundary fence.
- the new proposal would have a negative impact on the view looking out from neighbouring properties.
- it was felt that the proposed scheme was overdeveloped impacting on wildlife in the immediate area.
- there would be issues surrounding access for bin collection as residents of the new properties would have no alternative but to park around the bin storage location.

- more properties equalled more bins spilling over.
- the revised development impacted on natural lighting and would make one residents driveway extremely dark.
- the development was losing the heritage of Norton.
- Mill Lane was already used frequently by parents dropping off and picking up from the nearby school and the addition of an extra property in the newly proposed scheme would exacerbate this.
- neighbours had put up with slow building work and also building work being carried out at weekends.

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

- a great deal of construction work had already been undertaken.
- there was only one additional apartment since the original approved plans.
- the development had enhanced the conservation area after a long period of neglect.
- the design was of a very high standard.
- the Applicant was conscious of neighbouring properties and they were doing what they could to avoid overlooking.
- the Applicant had worked hard with Officers to address residents' concerns.
- any development within an established area would be difficult.
- the developer was conscious of current parking issues and the development met SPD3 parking standards and design.

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

- The scheme had been changed to avoid massing including the use of hip-roofs which would break up the scale of massing.
- the development would not be overbearing on neighbouring Windsor House and there would be no loss of privacy.
- neighbouring Northfield House was located further away from Windsor House and therefore no impact.
- there was only one additional apartment. The number of houses remained the

same.

- the proposed parking accorded with the Councils SPD3 parking and design.
- in terms of issues relating to bins. There were to be 2 bin stores on either side of the building and there would be enough space for collection vehicles to manoeuvre in and out when collecting refuse.

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

- was there any creep towards neighbouring properties?
- this was a conservation area and the development posed a major change.
- there were concerns raised that there had been a breach of the original planning conditions in terms of building work being carried out at weekends.
- the issues members of the public had raised relating to bins spilling, refuse collection, were real issues.

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

- In terms of issues raised relating to the creep towards neighbouring properties, as the building proximity was the same as the original approved plans there was no creep towards the neighbouring properties.
- in terms of the bin stores, there was no change to the bin store from the initial application which could easily accommodate the additional new property.
- the additional new property was within Chester House and therefore there was no physical change to the plan.
- the main change to the plan was the separation of the three dwellings and the breaks in the massing.
- in terms of issues surrounding the character of the building, there were modern properties in the local vicinity and therefore the character of the property worked.
- where it was highlighted that there was a possibility that there had been a breach of conditions in terms of building work being carried out on a weekend, Officers confirmed that the applicant had been spoken to and the condition had been repeated in the revised application. Any breach of the condition, the applicant would be spoken too again.
- the traffic impact to Mill Lane was considered negligible. There was already traffic consent for 10 dwellings and the addition of 1 additional dwelling / two cars would not impact negatively.

- Officers were satisfied that the scheme worked and was acceptable.

A vote then took place and the application was approved.

RESOLVED that planning application 19/0144/FUL be approved subject to the following conditions and informatives below;

#### 01. Approved plans

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

Plan Reference Number	Date on Plan
P2019-CH-09 REV B	13 September 2019
P2019-CH-10	13 September 2019
P2017-CH-06 REV G	13 September 2019
P2017-CH-07 REV F	13 September 2019
P2017-CH-08 REV D	13 September 2019
P2017-CH-05 REV C	13 September 2019
P2017-CH-01	17 April 2019
P2017-CH-02	18 April 2019
P2017-CH-03	26 March 2019
SBC0001	22 January 2019
P2017-CH-04 REV D	9 April 2019

#### 02. Materials

All external finishing details shall be carried out in full accordance with the details provided on the 12.09.19 including Pulford Blend bricks and Sandtoft 20/20 roof tile.

#### 03. Landscaping Hardworks

Prior to the completion of the development, full details of the proposed hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority and in accordance with the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

#### 05. Landscaping Softworks

Prior to the occupation of the development, full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species (including grass), numbers, densities, stock size and type, planting methods including construction techniques for pits in hard surfacing and root barriers and short/long term maintenance arrangements. All works shall be in accordance with the approved plans. Any trees, shrubs or plants which within 5 years of the date of planting, die, become diseased or are removed shall be replaced with the same species unless the Local Planning

Authority first gives its consent to a variation.

#### 06. Enclosure

Notwithstanding the proposals detailed within the submitted information and prior to the occupation of the development hereby approved, details of any enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied and be retained for the live of the development thereafter.

#### 07. Scheme for Illumination

Prior to the completion of the development hereby approved, full details of the method of external illumination:

- (i) Siting;
- (ii) Angle of alignment;
- (iii) Light colour; and
- (iv) Luminance.

of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before the development is occupied and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation. The agreed lighting shall be retained and maintained in accordance with the agreed details for the life of the development unless otherwise agreed.

#### 08. Compliance with arborist recommendations/ Remediation

All works are to be carried out in accordance with the Method Statement and Mitigation Measures, with precautions taken as per BS5837 Tree work recommendations. Notwithstanding this and prior to the completion of the foundations and footings of the development, full tree root remediation details shall be submitted to the local planning authority. Such measures shall be carried out in full within three months of the date of approval and shall remain in place for the duration of all constructions works.

#### 09. Tree Replacement

Prior to the completion of the foundations and footings, exact details of the replacement tree species and the planting location shall be submitted to the Local Planning Authority for approval in writing. The tree planting works shall be carried out in the first available planting and seeding season. Should the trees within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

#### 10. Foul Water

The development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Proposed Drainage Plan" dated "22/10/2018". The drainage scheme shall ensure that foul flows discharge to the 300mm combined sewer in the vicinity of manhole 5302.

#### 11. Discharge of Surface Water

Development shall be implemented in accordance with the drainage documents

entitled “Chesterfield House Mill Lane Norton Surface Water Drainage Strategy Issue 4” dated 14/09/19, “Chesterfield House Mill Lane Norton Sustainable Urban Drainage System Management Plan Issue 2” dated 14/09/19, “Chesterfield House Mill Lane Norton Surface Water Drainage Health and Safety Assessment Issue 1” dated 15/09/19, “Drawing titled Surface Water Drainage Strategy Drawing number 001/1 Rev C” dated 14/09/19 and “Drawing titled Surface Water Attenuation Basin Construction Details Drawing Number 001/3 Rev A” dated 10/09/19.

#### 12. 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.

#### 12. Construction/ Demolition

No construction/demolition 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.

#### 13. Site Management Plan

Works shall be undertaken in full accordance with Site Management Plan (date received 26.03.19) for the duration of the construction works.

#### 14. Site Levels

The site levels of this site shall be completed in accordance with drawing P2019-CH-09 REV B (date received 13.9.19).

#### 16. Internet Connectivity

Open access ducting to facilitate fibre and internet connectivity shall be provided from the homes to the public highway.

### 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 seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

#### 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: Tees Archaeology

In the event that bone is found during construction/ excavation work, such works shall cease and the developer must contact Tees Archaeology immediately (on 01429 523454) who will be able to advise on whether the bone is animal or human and be able to assist in the correct course of action should the bone be human. It is an offence to excavate human remains without a licence from the Ministry of Justice, and the correct licence must be obtained to carry out any excavation required in an appropriate manner.

Informative: Northern Gas Networks

The applicant should contact Northern Gas Networks 0800 040 7766 to ensure no nearby apparatus is at risk during construction works.

**P  
40/19**

**19/0678/OUT**

**Myton House Farm, Ingleby Way, Ingleby Barwick**

**Application for outline planning permission with some matters (appearance, landscaping, layout and scale) reserved for the erection of five units for A1/A2/A3/A5 and D1 use and ancillary development on land adjacent to Myton House Farm, Ingleby Way, Stockton- on -Tees.**

Consideration was given to planning application 19/0678/OUT Myton House Farm, Ingleby Way, Ingleby Barwick.

The planning application sought outline planning permission with some matters (appearance, landscaping, layout and scale) reserved for the erection of five units for A1/A2/A3/A5 and D1 use and ancillary development on land adjacent to Myton House Farm, Ingleby Way, Stockton- on -Tees.

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 reported concluded that in view of the material planning considerations contained within the report and the submitted sequential assessment it was considered that the proposed development was in a suitable location and of an appropriate scale and design for the area. The proposal was also not considered to pose any significant risks to highway safety, the amenity of neighbouring occupiers, flood risk or ecology.

In considering the NPPF and whether the proposal represented sustainable development it was recognised that the site was readily accessible to a range of surrounding residential dwellings and the provision of additional local facilities was considered to have significant social benefits in serving the local needs of the community of Ingleby Barwick. The proposal also had further social and economic benefits though the level of private investment, job creation both during and post construction. Those considerations would weigh in favour of the proposal in terms of the overall planning balance.



In planning terms, the proposed development was considered to be acceptable in all other regards. The proposed development was therefore recommended for approval subject to those planning conditions set out in the report.

Members were presented with an update report which since the original report detailed the receipt of a petition against the development, which under the Councils Scheme of Delegation constituted one letter of objection.

There had also been an additional consultation response from Crime Prevention and Architectural Liaison Officer. Although there was no objection to the application raised the Officer did have concerns in terms of position and layout of the proposed units to increase natural surveillance. In response to the known anti-social behaviour within the area the Officer had requested the developer work with them through the design stage to adopt the principles of 'Secured by Design'. It was proposed that a condition be imposed, should Members be minded to approve the application. Details of which were contained within the update report.

The update report also detailed minor typographical errors within the wording of condition 05. The revised condition was included within the update report.

No new matters had been raised as a result of the petition that had not already been addressed within the Officers Report.

The minor revisions to the recommended conditions did not alter the purpose of the conditions as originally proposed or the recommendation of the main report, which was that the application be approved with conditions.

Councillor Ted Strike, Ward Councillor for Ingleby Barwick East and Councillor for Ingleby Barwick Town Council was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- Cllr Strike explained to the Committee that not only was he a Councillor but he was also a resident of Ingleby Barwick and opposed the application. Cllr Strike was also representing those residents who also opposed the application.
- a petition had been signed by approximately 2000 people objecting to the scheme.
- Ingleby Barwick had issues surrounding anti-social behaviour particularly around shops, and although improvements had been seen since CCTV had been installed it was still problematic, and the addition of the proposed shops would only exacerbate this.
- There were concerns in terms of vehicles accessing the site to visit the units and potential traffic safety hazards to residents.
- There would be an increase in the number of journeys in an already congested area. The recently approved Lidl store hadn't even opened yet which would also

add to this.

- There were a number of empty units already located at other shopping parades within Ingleby Barwick, and it was felt more should be done to bring those back into use rather than develop new retail outlets. In addition changes of use were being sought for some of the empty units to enable them to operate as takeaways, of which there was already numerous takeaways in Ingleby Barwick.
- The application site was used to hold numerous family events throughout the year. Should the proposal go ahead then the community facility would be lost

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

- a local retailer who operated from one of the units at Sandgate shops expressed concerns that the current empty units were not good for the area or neighbouring local businesses.
- Sandgate shops had already seen 3 empty units since opening.
- the proposed units would be better located within village seven of Ingleby Barwick.
- the scheme was not in the right location, wrong site, and wrong time.
- the proposed units were within a designated Town Centre of Ingleby Barwick, however the units needed to be what Ingleby Barwick required, such as, banks, soft play and no more takeaways etc.

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

- this was an ideal location for the proposed development.
- a transport assessment had been submitted.
- Highways Officers had confirmed access to the proposed development was acceptable.
- the proposed units were for small scale use and complied with the NPPF.
- in terms of loss of community space, the land was part owned by Marstons.
- the proposed scheme fully accorded with the NPPF and the adopted Local Plan.

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

- where concerns had been raised relating to anti-social behaviour, Officers acknowledges this was a known problem and should Members be minded to approve the application a condition had been added to the proposal to increase the natural surveillance of the area as detailed within the update report.

- in terms of vacant premises elsewhere, it was the applicant's choice as to whether they occupied those or put forward a proposal for new units. Officers would direct applicants to town centres which is where this proposal was.

- Officers explained that in order to have some control over the mix and type of businesses using the units, condition 05. had been included limiting the permitted use to A1, A2, A3, A5 or D1. And no more than two units at any one time would fall within use classes A3 and/or A5.

- regarding the loss of community use of the carpark, this was an ad-hoc arrangement that could stop at any time as the site was not a designated community area.

- in terms of highways, where Lidl was proposed a presentation was given as to the traffic survey which also applied to this application. Journey times would see an increase of 5 seconds during am and pm periods. Additional traffic would equate to ten additional cars therefore no impact on the network. Site access was suitable for accessing the development. From a highways perspective the application was acceptable.

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

- access to the proposed site appeared to be very tight. It appeared to be only one lane with a sharp bend. Therefore some Members felt that the access was neither suitable for shoppers nor delivery vehicles.

- questions were raised in terms of the 4 disabled parking spaces being enough for the site.

- clarity was sought in terms of the sequential test and if one had been carried out. Surely the applicant could find suitable units which already existed but were standing empty.

- questions were also raised as to whether an economic impact assessment had been submitted.

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

- Highways Officers informed Members that the access to the proposed scheme was 7.3 metres wide and therefore suitable for commercial use. The Myton House Farm Public House already had dray wagons using the access to deliver supplies.

- in terms of the layout of the site, this was not a consideration at the outline

planning stage and would be considered at reserved matters. The only thing at this stage to be agreed was the existing access which was adequate for the proposed facilities.

- the level of car parking shown on the indicative plan was acceptable, however this was a consideration for reserved matters which could be assessed in terms of the number of disabled parking bays.

- in terms of concerns raised relating to congestion and additional vehicle journeys, traffic modelling using the IBAN model which was explained during a presentation when the Lidl store was considered took care of all the development within the area. All the traffic with any developments which were to be built out were factored in. Changes in journey times were negligible due to limited additional trips.

- Officers confirmed that there had been an economic impact assessment carried out which was detailed within the main report, and should Members be minded to approve the proposal it also past the sequential test.

A vote then took place and the application was refused.

Members were given the opportunity to debate and propose the possible reasons for the decision. The lead planning, legal representatives and other officers gave advice as to which reasons may or may not be acceptable.

Members discussed and agreed the following reasons for refusal:

1. Access / Egress

2. Sequential Test

A vote was taken on the grounds of Access / Egress as a reason for refusal. The motion was not carried.

A vote was taken on the grounds of the Sequential Test, as a reason for refusal. The motion was not carried.

Due to the reasons for refusal being rejected a vote then took place in favour of the Officer recommendation. The motion was carried.

RESOLVED that planning application 19/0678/OUT be approved subject to the following conditions and informatives detailed below;

01 Approved Plans;

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

Plan Reference Number    Date on Plan

10345 03 A

10345 05 A    2 April 2019

2 April 2019

02 Reserved Matters;

Details of the appearance, landscaping, layout, and scale of each phase of the development (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before development of the phase concerned begins, and the development shall be carried out as approved.

03 Time Limit for Submission of the Reserved Matters;

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.

04 Time Limit for Commencement;

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.

05 Control over Uses;

No more than a total of two units at any one time shall fall within use classes A3 and/or A5 as defined by the Town and Country Planning Use Classes Order 2015. Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no use within any class other than A1, A2, A3, A5 or D1 shall be permitted.

06 Surface/foul Water Drainage;

The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Suitable Surface Water Drainage Scheme and a foul water drainage scheme have 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 programme 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 the construction phase;

IV. Details of adoption responsibilities.

07 Construction Management Plan;

Within each phase, 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 including any restrictions on delivery times;
- (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, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway 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 HGVs routing including any measures necessary to minimise the impact on other road users;
- (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 Dust Emissions

Prior to commencement of the development hereby approved a scheme should be provided to control dust emissions, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection

#### 09 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.

#### 10 Construction Hours

No construction/ site preparation works or deliveries shall take place on the premises before 8.00 a.m. on weekdays and 8.30 am on Saturdays nor after 6.00 pm on weekdays and 1.00 pm on Saturdays (nor at any time on Sundays

or Bank Holidays).

#### 11 Site Levels

Notwithstanding the information submitted as part of the application details of the existing and 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.

#### 12 Tree Protection

An Arboricultural Method Statement and Tree Protection Plan should be submitted in support of the Reserved Matters application. 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..

#### 13 Opening Hours

The hereby approved units shall not be open for business outside the hours 08:00 – 22:00 Monday to Saturday including Bank Holidays and 10:00 -18:00 on Sunday.

#### 14 No subdivision/ Amalgamation

The premises shall not be sub-divided or combined into independent units without the prior written consent of Local Planning Authority.

#### 15 Ecology Survey

If work does not commence within two years from the date of the submitted ecology survey, a maximum of three months before works commence on site a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required prior to the works commencing on Site.

#### 16 Scale

Notwithstanding the submitted information the approved development shall be restricted in height to a maximum height of 6.5 metres. No unit should exceed 150sqm, with the total footprint of the development not exceeding 613sqm

#### 17 Energy Statement

Notwithstanding the submitted information, the Reserved Matters application

should be supported by an Energy Statement, demonstrating that the proposed development, hereby approved, would be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good'.

#### 18 Secured by design

Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Crime Prevention & Architectural Liaison. Once approved, the development shall be carried out in accordance with the agreed details.

#### 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: Surface Water (Reason for Pre- Commencement Condition)

The Lead Local Flood Authority must be satisfied that the developer is able to provide a surface water drainage system that will manage the additional surface water runoff generated by the proposed development. The surface water management plan should have a clear timetable / programme highlighting when the main surface water infrastructure will be provided and how surface water runoff from the development will be managed during construction phase of the site, this is to manage potential flood risk during construction phase but also reduce the risk of silt from the development entering receiving water body, watercourse or public sewer.

##### Informative: 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 the existing greenfield runoff rates (5l/s) 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 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 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.



Informative: British Gas

The applicant is advised that Northern Gas Networks require the promoter of these works to contact them directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

**P  
41/19**

## **WYNYARD MASTERPLAN**

Members were presented with a report which detailed the Wynyard Masterplan and which would advise Cabinet on joint working with Hartlepool Borough Council to prepare a masterplan for Wynyard and sought approval of the masterplan for use in the determination of planning applications at the site and to support delivery of allocated sites in the adopted Local Plan.

Members were asked to note the content of the draft Wynyard Masterplan and provide comments for consideration by Cabinet and Council and to support the progression of the report to Cabinet so that it could be approved for use in the preparation of planning applications alongside policies in the adopted Local Plan.

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

- guarantees were sought that Wynyard would not end up in the same position as Ingleby Barwick and that the proposed district centres, shops, public houses, schools etc. would be delivered.

- did the Masterplan conflict itself in terms of the alternative proposed school within the buffer zone within Stockton, if the proposed preferred location for a school in the Hartlepool area does not go ahead.

- Wynyard Golf Club site had two planning permissions:

- Golf club hotel and remodelled course.
- Smaller hotel and 44 dwellings

Should both schemes be recognised in the masterplan, rather than just the residential element?

- would improvements to broadband be secured in the Wynyard area?

- what status would the masterplan have when it was adopted?

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

- the Masterplan states that it should not 'be seen as a rigid blueprint for development and design, but rather a document that sets out the context and development principles within which projects come forward'.

Planning permissions would secure the necessary infrastructure set out in the masterplan and would include various triggers for when development would come forward.

- the masterplan clearly outlined that the alternative secondary school site (east

of Wynyard Village) was outside of the limits to development of Wynyard. The Local Plan policy would be the starting point for the determination of any application and would require justification of the site in terms of landscape / visual impact as well as other constraints set out in the masterplan.

- the Local Plan recognised the commitment for housing on the golf club site and the masterplan had followed from that policy.

- the Council would work with the Tees Valley Combined Authority and the BDUK programme to identify and address issues across the network. Proposals would be encouraged to integrate broadband infrastructure in to new development by adopted policies in the Local Plan.

- the masterplan would be a material consideration in the determination of future planning applications that come forward in the Wynyard area. It would be considered alongside policy H3 of the Local Plan which specifically references a masterplan for the Wynyard area.

RESOLVED that;

1. Members note the content of the draft Wynyard Masterplan and provide comments for consideration by Cabinet and Council.

2. Support the progression of the Report to Cabinet so that it can be approved for use in the preparation of planning applications alongside policies in the adopted Local Plan.

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- 1. Appeal - Mr D Horner - 14 Houghton Banks, Ingleby Barwick, TS17 5AL  
18/1926/RET - DISMISSED**
- 2. Appeal - Mr G Harker - 18 Houghton Banks, Ingleby Barwick, TS17 5AL  
18/1925/RET - DISMISSED**
- 3. Appeal - Mr P Bennett - 24 Houghton Banks, Ingleby Barwick, TS17 5AL  
18/1927/COU - DISMISSED**
- 4. Appeal - Mr Gordon Ross - 2 Chandler's Wharf, Stockton-On-Tees, TS18  
3BA  
19/0265/FUL - ALLOWED WITH CONDITIONS**
- 5. Appeal - Mr John Longstaff - 10 Ryedale Close, Yarm, TS15 9UN  
18/2006/RET - DISMISSED**
- 6. Appeal - Mr David Anderson - Yarm Riding Centre, Glaisdale Road,  
Yarm, TS15 9R  
17/2904/REV - DISMISSED**
- 7. Appeal - Mr Warren Hopkins - 2 Fir Tree Close, Hilton, TS15 9JZ  
18/2584/OUT - DISMISSED**
- 8. Appeal - Mr & Mrs Foley - Land South East Of Drummoyne, Durham  
Road, Thorpe Thewles  
18/2046/FUL - DISMISSED**
- 9. Appeal - Mr Jonathan Chandler - Land Adjacent To 1 Bishopton Road,  
Stockton-on-Tees, TS19 0BP  
19/0401/ADV - ALLOWED WITH CONDITIONS**
- 10. Appeal - Samantha Lindley - The Gables, Durham Road, Thorpe  
Thewles, Stockton-on-Tees, TS21 3JN**

**19/0410/REV - DISMISSED**

The Appeals were noted.