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TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

APPROVAL SUBJECT TO CONDITIONS

Application Number: 15/2531/OUT

Applicant :
Mr Chris Morgan
c/o Agent
United Kingdom

Agent :
Mr Rod Hepplewhite
Prism Planning
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Darlington
County Durham
DL3 7QQ
United Kingdom

This Council of Stockton on Tees as the Local Planning Authority **HEREBY PERMIT** the development proposed by you in your application registered on 13 October 2015 namely

Outline application with some matters reserved for a residential development of up to 65 no houses and associated access. at Land Off Roundhill Avenue, Ingleby Barwick, Stockton-on-Tees

and shown on the approved plan(s) subject to the compliance with the Building Regulations and general statutory provisions in force in the district and subject to the conditions and reasons specified hereunder:

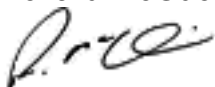
Change to planning procedure relating to Amendments to Approved Plans

When Planning permission is granted, it is subject to the work being carried out in accordance with the approved plans, which may be as originally submitted or amended before approval is granted.

As a result of a recent High Court decision (Sage v Secretary of State) the legal position has dramatically changed and the effect of any changes from the approved plan now requires a new planning application to be submitted for the change to be considered. There is no longer any provision for minor amendments to be given consideration. This also means that if the work is carried out other than in complete accordance with the approved plans, the whole development will be unauthorised, as it will not have the benefit of the original planning permission.

Dated: 2 June 2017

Richard McGuckin



Head of Economic Growth and Development Services

This decision relates to planning consent only. Any other statutory decision e.g. Building Regulation and Improvement Grant must be obtained from the appropriate authority

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

Plan Reference Number	Date on Plan
740/LA2A	11 January 2016
14005/L01 B	13 October 2015

Reason: To define the consent.

02. 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.

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

03. 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.

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

04. 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.

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

05. Dwelling numbers;
The total number of dwellings authorised by this permission shall not exceed 65

Reason: To ensure a satisfactory form of development.

06. Conformity with the submitted masterplan
The details of the reserved matters shall broadly follow the principles and parameters set out in the site landscape structure plan drawing 740/LA2A submitted with the planning application.

Reason: To ensure that the Reserved Matters for the appearance, layout and scale of the buildings and landscaping to be submitted are in accordance with the landscaping principles and to enable the Local Planning Authority to satisfactorily control the development.

07. Entrance to Tees heritage Park
Notwithstanding the submitted information, no development shall commence until a detailed scheme for pedestrian entrance to the Tees Heritage Park has been submitted and agreed in writing with the Local Planning Authority. Such a scheme shall allow for a suitable pedestrian route and appropriate connections to the existing route; route signage; entrance features; and, a specific timetable (including any phasing) for the agreed works. The agreed scheme shall be implemented in full accordance with those agreed details.

Reason: To ensure satisfactory provision is made to pedestrian routes and entrance features in the interests of the visual amenity of the area and recreation value of the Tees heritage Park.

08. Buffer landscaping;
Notwithstanding the submitted information, no development shall commence until a detailed scheme for mounding, landscaping and tree/shrub planting to form buffer planting on the western boundary shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities; inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out prior to the commencement of the development and any trees or plants which 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 prior attained size and species unless the Local Planning Authority gives written consent to any variation.

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

09. Ecological mitigation
All ecological mitigation measures shall be carried out in accordance with the submitted ecological appraisal for land to the southeast of white house farm prepared by Naturally Wild (December 2014) and shall be implemented in full in accordance with the advice and recommendations contained within the document.

Reason: To conserve protected species and their habitat

10. Method Statement for Invasive species
No development shall commence until a detailed method statement for removing or the long-term management / control of Giant Hogweed has been submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Giant Hogweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development of the relevant phase shall be carried out only in accordance with the approved method statement.

Reason: To prevent the spread of Giant Hogweed which are invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109.

11. Tree Assessment;
Notwithstanding the submitted information, all trees on site and within 10m of its external boundary shall be indicated on the Site Survey Plan. These trees shall be assessed in accordance with BS5837:2005 Trees in Relation to Construction. The assessment should include for the following information:

a) A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm and all root protection areas.

b) A tree schedule as detailed in Ref. 4.2.6 BS5837:2005;

c) A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.

d) Details of any ground level changes or excavations within 5 metres of the Root Protection Area (Para 5.2.2. of BS5837) of any tree to be retained including those on adjacent land.

e) A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.

f) Details of any statutory of domestic services shall be designed in accordance with Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007

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

12. Scheme for the protection of trees

No development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

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

13. 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. Thereafter the development shall take place in accordance with the approved details.

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

14. Construction Management Plan;

No development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority relevant to that element of the development hereby approved. The approved CMS shall be adhered to throughout the construction period relating to that element of the development and shall provide details of the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities to public viewing, where appropriate; wheel washing facilities; measures to control and monitor the omission of dust and dirt during construction; a Site Waste Management Plan; details of the routing of associated HGVs; measures to protect existing footpaths and verges; and a means of communication with local residents.

Reason: In the interests of the occupiers of adjacent and nearby premises

15. Construction activity;

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

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

16. Unexpected land contamination
If during the course of development of any particular phase of the development, contamination not previously identified is found to be present, then no further development on that phase shall be carried out until the developer has submitted to, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be carried out as approved.

Reason: Unexpected contamination may exist at the site which may pose a risk to human health and controlled waters

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

Appeals to the Secretary of State

Important Note: The applicant's attention is drawn to the appeal time limits indicated below and the need to adhere to the specific time limit for appeal in relation to the application/appeal type

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land to grant it subject to conditions, the owner may claim that the land has become incapable of reasonable beneficial use in its existing state and in a case where planning permission was granted subject to condition, that the land cannot be rendered capable of reasonable beneficial use by the carrying out of the permitted development in accordance with these conditions, and in any case that the land cannot be rendered capable of reasonably beneficial use for the carrying out of any other development for which planning permission has been granted or for which the Local Planning Authority or the Secretary of State has undertaken to grant planning permission.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated requiring the council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part VI of the Town and country Planning Act 1990. By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and Article 7(1) of the Town and country Planning General Development Order 1988, where outline planning permission is granted on or after the 1st April 1969 of this section it shall be granted subject to the condition that in the case of any reserved matter, application for the approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission and that the development to which the permission relates must be begun not later than whichever is the later of the follow dates:-
 - (i) the expiration of three years from the date of the grant of outline planning permission;
 - Or
 - (ii) the expiration of two years from the final approval of the reserved matters or in case of approval on different dates, the final approval of the last such matter to be approved.
 The attention of developers is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to the consent constitutes a contravention of the provisions of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.