

Planning Committee

A meeting of Planning Committee was held on Wednesday, 22nd December, 2021.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Mick Stoker(Vice-Chair), Cllr Carol Clark, Cllr Dan Fagan, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Steve Matthews, Cllr Tony Riordan, Cllr Maurice Perry (Sub Cllr Andrew Sherris), Cllr Marilyn Surtees, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley,

Officers: Stephen Donaghy (DA&H), Simon Grundy, (D o F,D&BS), Joanne Roberts (D o CS&T), Sarah Whaley (MD)

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

Apologies: Cllr Lynn Hall, Cllr Andrew Sherris, Cllr Bill Woodhead MBE

P **Evacuation Procedure**

42/21

The Evacuation Procedure was noted.

P **Declarations of Interest**

43/21

There were no declarations of interest.

P **Minutes from the Planning Committee meetings which were held on 29th**
44/21 **September and 27th October 2021**

Consideration was given to the Planning Committee minutes from the meetings which were held on 29th September and 27th October 2021 for approval and signature.

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

P **21/0156/FUL**

45/21

**Land To The West Of St Martins Way, Kirklevington,
Erection of 97no dwellings to include landscaping, drainage infrastructure
and associated works and access
from St Martins Way**

Consideration was given to planning application 21/0156/FUL Land to the West of St Martins Way, Kirklevington, Erection of 97no dwellings to include landscaping, drainage infrastructure and associated works and access from St Martins Way.

The above application was deferred at the 24 November 2021 Committee to allow further information to be obtained as to the evidence that the parish council referred to in their comments when discussing the construction access.

The Case officer contacted the Parish Council and the Landowner and correspondence had been received from the Landowner Mr Tate, to confirm that the owners were "to open to the idea of accessing the site via an alternative route e.g., the existing Jomast/Story approved construction route".

The Applicant had also reviewed their position and a letter from Walker Morris was contained within the Officers report. Whilst the letter stated a Construction Traffic Management Plan (CTMP) would be agreed this had been superseded by the submission of a plan.

Whilst the Applicant could not be forced to rely on third party land for access, they were open to discussions and had amended the CTMP, details of which were contained within the Officers report.

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 it was the opinion of the Local Planning Authority that the construction access from St Martins Way was acceptable as detailed within the main report. The Planning Inspector had found this route acceptable for the previous scheme of up to 90 dwellings (although traffic modelling was based on 100 dwellings) and nothing had fundamentally changed since this decision to warrant refusal of the application.

The application was therefore recommended for approval with the conditions and revised condition as detailed within the main report.

The Chair of the Planning Committee read a statement to the Committee which had been provided by the Chair of Kirklevington Parish Council. The Parish Council wished to thank Stockton Borough Councils elected Members for deferring the item at the Planning Committee meeting, which was held 24th November 2021, working with local residents, allowing conversations to be had with the Landowner and developers to discuss a safer site access for construction vehicles.

Objectors attended the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- If the proposed application was to be approved along with other approved developments in Kirklevington, the village would increase by 65%.
- Questions were raised as to whether the proposed housing mix was right for an aging demographic.
- Concerns were expressed in terms of insufficient infrastructure.
- It was felt that the application should be reduced to 95 dwellings taking away the 2 homes which impinged the most on Hall Moor Close.
- The developer had agreed to mitigate against loss of light to houses on Hall Moor Close after houses were built, however there was scope to change the layout of individual housing before this. The Committee were asked to request

that Taylor Wimpey make that small change to the plan for the benefit of residents on Hall Moor Close.

- Although Taylor Wimpey was providing a buffer on the western edge of the development, there was still a need for a buffer closer to residential homes.

The Applicants Agent attended the meeting. His Comments could be summarised as follows:

- Conversations had taken place between Taylor Wimpey and the landowner to consider if temporary access over the landowner's land for heavy construction vehicles would be acceptable. Agreeable dialogue was also required with a neighbouring developer, Story Homes. In the event those conversations were not acceptable, site access for construction vehicles would be via St Martins Way.

- Issues surrounding the access could not be used as a reason to delay the development as the site had already gained approval.

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

- Not having a 5-year housing supply meant many sites were approved in Yarm and Kirklevington prior to the adoption of the Local Plan.

- In terms of the housing need, all figures used to calculate these were objectively assessed using standard formulas and processes.

- The layout of the proposed houses was in accordance with separation distances.

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

- Members hoped that the alternative access for construction traffic would be pursued rigorously and that the landowner and developers would come to an agreement.

- Members requested that the developer look to take away the 2 houses which caused the most impingement on those residents at Hall Moor Close.

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

- Taylor Wimpey was required to report back to the Principal Planning Officer with progress updates every 28 days in terms of construction vehicle access.

- Officers had revisited the plan and layout, however as the minimum separation distances of 11 metres were exceeded the current plan was acceptable.

A vote took place, and the application was approved.

RESOLVED that planning application 21/0156/FUL be approved subject to the

following conditions and informatives and subject to, the applicant entering into a Section106 Agreement in accordance with the Heads of Terms below;

01-Time Limit

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

02-Approved Plans

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

Plan reference Number	Date Received
HJB/PA3864/15A	12 November 2021
SMW:K01 C	8 October 2021
SMW:K00 S	8 October 2021
YD2-19-002-KL_LP006 Rev F	11 November 2021
20318:SG	19 January 2021
20318:SG2	19 January 2021
YD2-19-002-KL_LP001 Rev F	11 November 2021
YD2-19-002-KL_LP002 Rev F	11 November 2021
YD2-19-002-KL_LP003 Rev F	11 November 2021
YD2-19-002-KL_LP004 Rev F	11 November 2021
YD2-19-002-KL_LP005 Rev F	11 November 2021
NA20/7/PL1E	19 January 2021
NA20/7/PL2E	19 January 2021
NA30/7/PL1E	19 January 2021
NA30/7/PL2F	19 January 2021
NA44/7/PL1G	19 January 2021
NA44/7/PL2A	19 January 2021
ND42/7/PL1G	19 January 2021
ND42/7/PL2H	19 January 2021
PA44/7/PL2	19 January 2021
PA44/7/PL1E	19 January 2021
PD30/7/PL1E	19 January 2021
PD30/7/PL2	19 January 2021
PD51/7/PL1C	19 January 2021
PD51/7/PL2	19 January 2021
PT36/7/PL2	19 January 2021
PT36/7/PL1C	19 January 2021
SMW:K:LP	19 January 2021
ND43/7/PL21B (wheelchair adaptable)	12 August 2021
ND43/7/PL1G (wheelchair adaptable)	12 August 2021
ND43S/7/PL1F	19 January 2021
ND43/7/PL2 A	19 January 2021
YD2_KL_LMR001_REV B	11 November 2021

03 Materials

Notwithstanding any description of the materials in the application, the above ground construction of each plot shall not be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

04 – Construction Traffic Management Plan

The development shall be undertaken in accordance with the submitted Construction Management Plan dated December 2021. The approved Construction Management Plan shall be adhered to throughout the construction period.

05-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.

06-Travel Plans

Prior to the development being brought into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:

- (i) the appointment of a travel co-ordinator
- (ii) a partnership approach to influence travel behaviour
- (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- (iv) provision of up-to-date details of public transport services
- (v) continual appraisal of travel patterns and measures provided through the travel plan
- (vi) improved safety for vulnerable road users
- (vii) a reduction in all vehicle trips and mileage
- (viii) a programme for the implementation of such measures and any proposed physical works
- (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The approved Travel Plan shall be implemented, and the development shall thereafter be carried out and operated in accordance with the approved Travel Plan.

07-Retention of existing trees shrubs hedge

Notwithstanding the proposals detailed in the submitted plans no tree, shrub or hedge shall be cut down, uprooted, or destroyed, topped, or lopped other than in accordance with the approved landscaping plans, without the written authorisation of the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as part of the landscaping scheme or any 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.

08-Tree and Hedgerow Protection Plan

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until a Tree and Hedgerow 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. BRITISH STANDARD 3998:2010 Tree Work – Recommendations
3. 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.

9-Recording of a heritage asset through a programme of archaeological works

A)No demolition/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 demolition/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.

10-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 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

V.A management and maintenance plan of the Surface Water Drainage scheme, this should include the funding arrangements and cover the lifetime of the development.

11-Drainage – NWL

Unless otherwise agreed in writing the development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Overall Engineering Layout” dated “25/10/21”. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 5704 and ensure that surface water discharges to the surface water sewer at manhole 5703. The surface water discharge rate shall not exceed the available capacity of 5l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

12-Energy Statement

The development hereby approved shall be built in accordance with the energy statement by JSP Sustainability dated August 2020 and the measures identified shall be implemented on site and brought into use. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

13-Ecology and mitigation

The development hereby approved shall only be undertaken on site in accordance with the recommendations and mitigation as detailed in the submitted extended phase 1 habitat report issued: August 2020 (Delta-Simons Project No. 19-1651.01)

14-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.

15-Contaminated land

Work shall be undertaken in accordance with Section 10.0 (Further Works) of the Phase 2 Geo-environmental Appraisal Page (ref: N18292G). Details of the findings and gas monitoring / gas risk assessment shall be submitted to the local planning authority.

16-Unexpected Land Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

17- Removal of PD rights - no integral garage conversions;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (England) Order 2015 (or any order revoking and re-enacting that Order), no integral garages shall be converted into part of the house without the prior written consent of the Local Planning Authority.

18-Permitted Development Rights means of enclosure
Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), unless shown on the approved plan (SMW:K01 Rec C) no gates, fences, walls or other means of enclosure shall be erected between the front or side wall of any dwelling which the curtilage of the dwelling fronts or abuts.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working practice

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 revised details and revised information and by the identification and imposition of appropriate planning conditions.

Informative 2: Disposal of Waste Material

All materials re-used or imported to site should follow the CL:AIRE 'Code of Practice' (CoP) and Aggregate quality protocols to include an approved Material Management Plan (MMP). No material other than those classified as 'inert' should be brought onto site and are subject to these protocols. Any materials re-used on site must also be subject to WAC testing.

HEADS OF TERMS

- . Affordable Housing -The provision of a minimum of 20% affordable housing to be provided on site.
- . Education - Contribution for both primary & secondary school pupils based on the council's standard formula.
- . Offsite Highway Works - The Owner shall enter into a Highways Agreement prior to the Commencement of Development to contribute to the delivery of the Crathorne Interchange Works roundabout.
- . Local Labour Agreement - To use reasonable endeavours to ensure that 10% of the jobs on the development are made available to residents within the Target Areas

**P
46/21**

1. Appeal - Mr Daniel Adams - 27 Crayke Road, Stockton-on-Tees, TS18 4EY

21/0472/RET - ALLOWED

2. Appeal - Cliff Court (Redcar) Developments Ltd, The Mile House, Durham Road, Stockton-On-Tees

21/0118/COU - ALLOWED WITH CONDITIONS

COSTS - ALLOWED

**3. Appeal - Mr David Walker - 45 Infinity View, Stockton-on-Tees, TS18 2FN
21/0854/FUL - DISMISSED**

4. Appeal - Mrs Gaynor Clayton - 9 Charrington Avenue, Thornaby, Stockton-on-Tees

21/0608/COU - DISMISSED

The Appeals were noted.