

PLANNING COMMITTEE

A meeting of Planning Committee was held on Wednesday 5 June 2024.

Present: Cllr Mick Stoker (Chair), Cllr Michelle Bendelow (Vice-Chair), Cllr Pauline Beall, Cllr Carol Clark, Cllr John Coulson, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Shakeel Hussain, Cllr Eileen Johnson, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Norma Stephenson OBE, Cllr Jim Taylor and Cllr Sylvia Walmsley.

Officers: Simon Grundy (R&IG), Emma Bell, Stephanie Landles (DoA,H and W), Martin Parker (DoCS,E&C), Julie Butcher and Sarah Whaley (DoCS).

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

Apologies: Cllr Dan Fagan and Cllr Barry Woodhouse.

P/16/24 Evacuation Procedure

The Evacuation Procedure was noted.

P/17/24 Declarations of Interest

There were no declarations of interest.

P/18/24 Minutes of the Planning Committee meeting which was held on 8 May 2024

The minutes of the meeting held on 8 May 2024 were confirmed as a correct record subject to the following amendments.

1. Paragraph 3, of page 14, minute number P/14/24

‘It was suggested, by a Member, that a Bio-diversity report was needed to set a benchmark and to eventually measure any net gains and ascertain Nitrate Neutrality’.

2. Paragraph 9, of page 14, minute number P/14/24

‘Officers confirmed that the application was prior to net gain legislation’.

P/19/24 Planning Protocol

The Planning Protocol was noted.

P/20/24 18/0195/OUT Land Adjacent To Low Lane And Thornaby Road, Thornaby, Stockton On Tees Residential Development comprising up to 200 homes and including provision of a Neighbourhood Centre, Community Centre, Open Space and Means of Access

Consideration was given to planning application 18/0195/OUT Land Adjacent To Low Lane And Thornaby Road, Thornaby, Stockton On Tees.

At the Planning Committee meeting on the 31st July 2019 Members resolved to grant planning consent for the above application subject to planning conditions and the development entering into a Section 106 agreement. Further amendments were then agreed at planning committee on the 3rd June 2020 in relation to removing the requirement for a recreational route and footbridge leading from the site to Ingleby Barwick across Bassleton Beck.

However, as the Section 106 agreement was not completed prior to the March 2022, the application was caught by the introduction of nutrient neutrality into the Tees catchment. The applicants had subsequently been working on a scheme to address the resulting impacts from increased levels of nitrogen arising out of the development and a suitable mitigation scheme had been agreed with Natural England.

In addition, given the passage of time a review of the section 106 requirements had also been undertaken and these were outlined within the Heads of Terms contained within the main report. As these changes were considered to materially affect the decision Members reached in 2020, the matter was referred back to Planning Committee to make a decision on the merits of the scheme in view of the revised Heads of Terms.

All material planning considerations remained as outlined within the original committee reports unless otherwise addressed within the officers planning report being considered today.

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 whilst there had been changes to circumstances surrounding the application and associated Heads of Terms, the site remained a housing site within the adopted Local Plan and the current proposals sought to provide facilities to meet an element of the future residents' day-to-day needs.

The application site was considered to remain a sustainable location for a future housing development and in view of all the identified material planning considerations outlined in this and the other previous reports, the proposals remained acceptable in planning terms.

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

.This was the third time the application had been to Planning Committee which was due to the introduction of nitrate neutrality and a review of Section 106 requirements.

- . In terms of nitrate neutrality there was additional woodland planting proposed.
- . Although there would be an accessible bus route on the proposed site, it would be difficult to get an operator to agree to provide a bus service.
- . There would be a footpath connecting the site to Thornaby Road which had bus links.
- . The original application had proposed the provision of a primary school; however, this was no longer required due to a change in the number of primary school places at neighbouring schools which could accommodate children from the proposed site with a financial contribution for improvements and which had been confirmed by the Councils Education Service.

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

- . The proposed site was in Thornaby and for the third time Thornaby Town Council had not been consulted.
- . There were existing traffic concerns on Thornaby Road without the addition of the proposed site.
- . It was believed that other developers in the vicinity had been made to pay for improvements to neighbouring road networks, and therefore there should be a consistent approach to Thornaby Road as it was considered dangerous.
- . The Boundary was coalescing with Ingleby Barwick.
- . How long would the farmland on the site continue to exist?
- . The loss of the primary school was not good, the school may be needed in 5 years' time!
- . As the school was no longer needed could the developer come back and propose houses on what was originally land for the school?
- . Comments were made relating to a report which had been written by Heather Knowler and which had been produced on behalf of Persimmon Homes relating to the Yarm back Lane development site and whether the provision of a school was required. The report stated that a primary school would probably not be needed in the west of Stockton. Questions were raised as to whether the developer for this proposed site had produced a similar report as it was felt that the schools in and around Thornaby were currently at full capacity. It was requested that the Councils Education Officers provide a report to Committee in terms of school requirements as it was felt an additional primary school would be required in the future.
- . Clarity was sought as to whether the primary school would have been a 2 or 3 form entry school?
- . Questions were raised as to whether the proposed site was within the Little Maltby Farm site or adjacent to it?

. The Local Plan described Little Maltby Farm as 1100 houses however the proposed site being considered today was not on the Local Plan and there didn't appear to be a graphic for this plan contained within the Local Plan.

. Would the 200 dwellings be the last of the 1100 dwellings?

. Concerns were raised relating to the red line boundary on the site where a large portion of the red line site was not shaded in yellow, and whether due to the application being outline more housing could be proposed in the future anywhere within the red boundary line. Members felt they were giving the green light to extend the Local Plan by default.

. Clarity was sought as to whether the neighbourhood and community centre would be built within the housing allocation and not outside of it and be part of the development and put up for sale. Assurances were also sought ensuring they would be delivered if the application was approved as condition 12 within the officer's report did not offer that reassurance as the condition only restricted the size of the centre and not whether the build would be definite.

. Members felt a DDA compliant bridge was still needed in the original location of the site which had been proposed on the original application of the development. It was requested therefore that the bridge be brought back allowing access to Lowfields centre which had shops and a restaurant.

. There was a lack of safe sustainable routes for children to access school.

. Bus links were needed on the proposed site, to allow children to get to school safely.

. Members sought clarity relating to the provision of a scheme for open space and its future management. Should the identified management company / organisation not come up to scratch would the Council be prepared to take the management of the open space on? If not, what would the alternative be?

The main road to the Public House and filling station / shop was not safe for Children to cross.

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

. Officers understood Members concerns relating to the loss of the primary school, however officers had discussed it at length with colleagues from the Councils Education Service who confirmed the school was not required at this time as requirements for school places since the previous submissions of the application had changed and intake numbers reduced due to a change to the demographics and year 6 demand in the area reducing. Without this need, it was difficult for officers to justify the land for the school should be retained for future, hence the S106 agreement for financial contribution to improve neighbouring schools in the area.

. Officers could not guarantee future applications would not come forward from the developer increasing the total of number of homes on the site and deviating from the Local Plan Any new application would have to be considered on its own merits.

- . In terms of concerns raised relating to traffic on Thornaby Road, the previous applications submitted for the proposed site had been approved by Members at Planning Committee. Also, in terms of mitigation at Ingleby Way and Thornaby Road Junction, officers were not aware of developers in the area paying to mitigate against traffic concerns.
- . Officers confirmed they were not aware of the Heather Knowler report.
- . It was confirmed that the proposed site was adjacent to the Little Maltby Farm site plan.
- . It was confirmed that the Little Maltby Farm site was made up of 350 and 550 homes and the proposed site being considered today was 200 homes totalling 1100 homes as indicated on the Local Plan. The name used on the Local Plan of Little Maltby Farm was used just as a name, the proposed development being considered today was on the original Local Plan.
- . Members were shown a copy of the Local Plan which highlighted the area being considered today was included in the plan.
- . In terms of the red boundary line, this was to provide additional extras such as pathways, not additional housing development. Housing could only be built on the development area as detailed within the indicative masterplan, otherwise the application could be refused. Officers suggested a condition could be included to mitigate concerns around the red boundary line therefore at the reserved matters stage the developer would have to comply with the condition.
- . The proposed neighbourhood and community centre were identified on the indicative plan by a star; a condition could be included making sure that if the centre was built it was only on the designated land shown on the masterplan. What the Council could not do was make the developer build either the centre or houses. Officers also referred to condition 12 within the report which sought to bring forward the uses of the centre with restrictions on the maximum net retail floor space.
- . A previous application for the site was considered at Planning Committee where Members agreed that the bridge was not essential as there was to be a community and neighbourhood centre. There was also a public house filling station and shop across Low Lane Road.
- . The neighbourhood and community centre would be for sale as the Council would not take on management facilities, a condition could be included that only housing was built on the masterplan site .
- . In terms of open space, the Council would take on the management of it if the developer / landowner paid for 25 years of maintenance, hence why developers usually handed the maintenance over to management companies. The Council needed to ensure that open space was available in perpetuity and managed. It may be the developer or management company which took on the maintenance. If the Council were offered the land, it would be taken on appropriately.
- . Access on Low Lane for the public house and filling station / shop would have a signalled junction with a safe crossing point to the pub. Regards concerns raised relating to a DDA compliant bridge linking the site to Ingleby Barwick, there would be 3

crossings providing safe routes, a link to Thornaby Road and 2 crossings at the adjacent site, Little Maltby Farm. The proposed site and Little Maltby Farm would be 1 continuous development therefore a child could walk safely from the proposed site to Ingleby Barwick.

RESOLVED that the planning committee refuse application 18/0195/OUT Land Adjacent to Low Lane and Thornaby Road, Thornaby, Stockton On Tees Residential Development comprising up to 200 homes and including provision of a Neighbourhood Centre, Community Centre, Open Space and Means of Access for the following reasons:

1. Lack of sustainable connections

In the opinion of the Local Planning Authority the proposed development would not provide a realistic alternative to the private car through the provision of safe and accessible routes to local schools and facilities, contrary to policies SD6(1), T11(1) and T11(12) of the Stockton on Tees Local Plan and paragraphs 114(a & b) and 116(a) of the National Planning Policy Framework.

2. Lack of bus provision

In the opinion of the Local Planning Authority the proposed development would not provide a dedicated bus service thereby providing an alternative form of transport to the private car, contrary to policies SD6(1), T11(1) and T11(12) of the Stockton on Tees Local Plan and paragraphs 114(a) and 116(a) of the National Planning Policy Framework.

3. Coalescence of settlements

In the opinion of the Local Planning Authority the proposed development would result in built form being brought into an undeveloped area of land, resulting in the visual coalescence of the settlements of Ingleby Barwick and Thornaby thereby harming the individual characteristics of those areas, contrary to policy SD8,1(g) of the adopted Stockton on Tees Local Plan

4. Congestion and highway safety

In the opinion of the Local Planning Authority the proposed development would add further vehicle movements onto the already congested Thornaby Road and Low Lane, undermining the efficiency of the road network, free flow of traffic and highway safety, contrary to policies SD8,1(f) and T11(6) of the adopted Stockton on Tees Local Plan and Paragraphs 114(d) and 115 of the National Planning Policy Framework.

P/21/24

Appeals

The Appeals were noted.