

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

8 May 2024

**REPORT FOR ASSISTANT DIRECTOR OF
INCLUSIVE GROWTH AND DEVELOPMENT**

23/0888/OUT

Land Off Stoney Wood Drive, Wynyard, TS22 5SN

Outline application with all matters reserved for the erection of 2no dwellinghouses and detached garages.

SUMMARY

At the Planning Committee meeting on the 10th April 2024, Members deferred the decision for the planning application in order to address outstanding concerns in respect of ecology, given the information contained within the submitted ecology report. The original report and associated update report are contained within the appendices.

In the intervening period, further survey work has been conducted on-site by suitably qualified ecologist to update the report and clarify the outstanding ecological matters.

Those surveys have confirmed the original findings that the site is of low ecological value and no further survey work is required to be completed.

All material planning considerations remain as outlined within the original committee report unless otherwise addressed within the report below and the matter is referred back to Planning Committee to make a decision on the merits of the scheme following the additional ecological information.

RECOMMENDATION

That planning application 23/0888/OUT be approved subject to the following conditions and informatives;

01 Time Period

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

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

02 Approved Plans

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

Plan Reference Number	Date Received
CPT_320_SELF_BUILD_PL03	25 March 2024
CPT_320_SELF_BUILD_PL02_B	8 February 2024
CPT_320_SELF_BUILD_PL10	8 February 2024
	8 February 2024

CPT_320_SELF_BUILD_RED_LINE_A3L_PL
01_1 REVC

Reason: To define the consent.

03 Reserved Matters Details

Details of the access, 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.

04 Reserved Matters Submission

An application for the approval of 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 Act 1990.

05 Design Code

Notwithstanding the submitted Design Code prior to the submission of a Reserved Matter Application a revised design code shall be submitted to and approved in writing by the Local Planning Authority. The revised design code shall provide clear guides as to scale and massing to consider minimum and maximum eave and ridge height, clear build zone to include front and side build zones, placement of detached garages, landscaping both hard and soft and boundary treatments. Thereafter the Reserved Matters applications shall comply with the design Code.

Reason: To ensure a high quality form of development.

06 Buffer Landscaping

No development shall commence until a structure plan with full details of a buffer landscaping scheme to the eastern boundary of the site has been submitted to and been approved in writing by the Local Planning Authority.

The associated scheme will include a detailed planting plan and specification of works (including associated underplanting) indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for tree pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans.

All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following commencement of the development and shall be completed to the satisfaction of the Local Planning Authority. The landscape buffer shall thereafter be retained and maintained in accordance with the agreed scheme for the life of the development.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

07 Tree Protection

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until an Arboricultural Method Statement and Tree

Protection Plan is approved in writing by the Local Planning Authority. This must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction – Recommendations
2. 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.

Reason: To protect the existing trees on and immediately adjacent to the site (within 10m) that the Local Planning Authority consider provide important amenity value in the locality.

08 Construction Management Plan

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;
- (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 to minimise the deposit of mud, grit and dirt on public highways 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 routing of associated HGVs;
- (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.

Reason: In the interests of highway safety and residential amenity.

09 Site Levels

Prior to the commencement of the development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity or integrity of existing natural features and habitats.

10 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 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.

Reason: To ensure any unknown contaminative features encountered during the development are investigated and remediated to an acceptable standard.

11 Surface and 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.

Reason: To ensure the site is development in a manner that will not increase the risk of surface water flooding to the site or surrounding area, in accordance with the guidance within Local Plan Policy ENV4 and the National Planning Policy Framework.

12 Construction Hours

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.

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

13 Open Access

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

Reason: To ensure that infrastructure is provided to facilitate fibre connections to all new development in accordance with Policy TI3 of the Stockton-on-Tees Local Plan.

14 Ecology

All ecological mitigation measures shall be carried out in accordance with the recommendations and mitigation (sections 6.1, 6.2, 6.3 and 6.4) within the submitted ecological appraisal conducted by OS Ecology LTD received by the Local Planning Authority on the 23rd April 2024.

Reason: To conserve protected species and their habitat.

15 Ecology Checking Survey

If work does not commence within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing 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

Reason: To conserve protected species and their habitat where necessary

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

Informative: Tree Standards

The following British Standards should be referred to:

- a. BS: 3882:2015 Specification for topsoil
- b. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- c. BS: 8601:2013 Specification for subsoil and requirements for use
- d. BS: 5837 (2012) Trees in relation to demolition, design and construction –Recommendations
- e. BS: 3998:2010 Tree work – Recommendations
- f. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- g. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- h. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- i. BS: 4043:1989 Recommendations for Transplanting root-balled trees

Informative: Northern Gas Networks

There may be apparatus in the area that may be at risk during construction works and NGN require the promoter of these works to contact NGN directly to discuss their requirements in detail. Should diversionary works be required these will be fully chargeable.

Informative: In a Smoke Control Zone

As the property is within a smoke control area the occupant is to comply with the following:

- Only burn authorised fuels- a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/fuels.php?country=e>
- Certain types of coal and wood can be burnt in smoke control areas but these are only to be burnt on DEFRA approved appliances; a list of these can be found on the following link <http://smokecontrol.defra.gov.uk/appliances.php?country=e>

The appliance is to be installed by an approved contractor and certificates of the work to be submitted to the Local Authority.

Informative: Noise from construction activities

Compliance with the recommendations set out in BS5228:2009+A1:2014 'Code of practice for Noise and Vibration Control on Construction and Open Sites' including measures to control and limit noise emissions and vibration levels should be complied with to the satisfaction of the Local Authority.

Noise levels will not exceed 55 dB LAeq (1 hr) during the daytime (07:00 – 23:00); or 45 dB LAeq (1 hr) during the night-time (23:00 – 07:00); or 60 dB L_{Amax} (15 mins) during the night-time (23:00 – 07:00) as determined by measurement or calculation at free field locations representing facades of nearby residential dwellings. In relation to the effects of construction vibration upon the surroundings, the Peak Particle Velocity (PPV) should be less than 0.5 mm/s, measured using BS 5228 2009, Part 2: Vibration (BSI, 2014v).

Informative: Dust Emissions

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

Informative: Reserved Matters

When submitting the application(s) for reserved matters; the reserved matters should include the following details:

"access", means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features.

MATERIAL PLANNING CONSIDERATIONS

1. Following on from the previous planning committee deferral (original report at Appendix 1), additional ecological work has been carried out on the site.
2. Additional site surveys were conducted by OS Ecology in April 2024, the findings of which do not seek to supersede the findings of the site survey from February 2023 but rather support what is already known about the ecology of the site.
3. The updated ecology report reaffirms that the habitats on site are considered to be of up to local value and on the whole the site is considered to be of low ecological value. The report concludes that no further survey work is undertaken, however, there are a series of recommendations, avoidance measures, mitigation strategies and a compensation strategy proposed to aid in the inception of the 2no dwellings to the site.
4. It is therefore recommended that all ecological mitigation measures proposed within the updated report are conditioned to the decision notice to ensure that the remaining or potential value for habitats on the site can be considered and enhanced.

CONCLUSION

5. In view of the above, it is considered that the proposed development will remain consistent with the Local Plan.
6. On balance the scheme is considered to remain a sustainable location and in view of the other material considerations outlined in the original report, is acceptable in planning terms.

ASSISTANT DIRECTOR OF INCLUSIVE GROWTH AND DEVELOPMENT

Contact Officer Joe Port Telephone No 01642 524362

WARD AND WARD COUNCILLORS

Ward Northern Parishes
Ward Councillor(s) Councillors Vanessa Sewell; John Gardner

IMPLICATIONS

Financial Implications:

Not applicable.

Environmental Implications:

The environment impacts of the proposed development have been fully considered and addressed within the report above. In view of those considerations, it is not considered that the proposal has any significant environmental implications.

Human Rights Implications:

Not applicable.

Community Safety Implications:

Not applicable.

Background Papers

Stockton on Tees Local Plan Adopted 2019
Wynyard Masterplan Adopted 2019
National Planning Policy Framework

Supplementary Planning Documents

SPD1 – Sustainable Design Guide
SPD3 – Parking Provision for Developments



OS Ecology Ltd
Unit 6, Bearl Farm, Stocksfield, Northumberland NE43 7AL
Company Registration: 11773037



Date: 23rd April 2024

Ref: 22354 L1

Kirk Thompson
Cameron Hall Developments
Wynyard Hall
Wynyard
Stockton on Tees
TS22 5NF

Dear Kirk,

WYNYARD: SELF BUILD PLOTS

Further to recent correspondence, we have reviewed the ecological work at the above site and updated the attached report in order to address the requirement for an additional survey in the key survey period. The report has been updated to take account of this site visit however the conclusions within the report remain the same and there are no additional impacts or avoidance, mitigation and compensation measures.

The updated report confirmed that the site comprises felled coniferous plantation which is now starting to colonise with self seeded saplings and is considered to be of low value.

In addition the report confirms that no protected species have been recorded on site with any residual risk to be addressed through the use of method statements to further minimise any risk. Given the location of the site and the distance between the nearest great crested newt pond and the site the risk is considered to be sufficiently low to not impact on the species. There are no trees on site which are considered to have a risk of supporting roosting bats and no evidence of badger was recorded.

Overall, there are not considered to be any significant ecological constraints and the report is now considered suitable to support a planning application.

Yours sincerely,

James Streets

Director

OS Ecology Ltd