

PLANNING APPLICATIONS COMMITTEE

14 December 2016 (9.30 am)

PRESENT – Councillor Baldwin (in the Chair); Councillors Galletley, I. Haszeldine, L. Haszeldine, Johnson, Kelley, Knowles, Lee and J Taylor. (9)

APOLOGIES – Councillors Lister, Lyonette, Regan and Stenson. (4)

ABSENT – Councillor Cartwright.

ALSO IN ATTENDANCE – Councillor Tostevin (1)

OFFICERS – Dave Coates, Planning Development Manager, Paul Ibbertson, Engineer (Highways Development Control) and Andrew Errington, Lawyer (Planning). (3)

PA51. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

PA52. PROCEDURE – The Assistant Director Law and Governance’s representative gave a short presentation which outlined the procedure to be followed during consideration of the application for planning permission before this Committee.

RESOLVED – That the procedure be noted.

NOTE – APPLICATION FOR PLANNING PERMISSION – The following standard condition is referred to in those Minutes granting permission :-

Code No.	Conditions
E3	The submitted landscaping scheme shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority. Reason - In the interests of the visual amenities of the area.

PA53. APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION

(1) Planning Permission Granted

16/00886/OUT - Land at OSGR E430566 N510791 Roundhill Road Hurworth Moor Darlington. Outline planning permission with access details (all other matters reserved) for the erection of up to 100 No dwellings (Amended Travel Plan received 3rd

October 2016) (Additional Habitat Survey received 10th October 2016) (Additional Qualitative Odour Assessment received 3rd November 2016).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated) and the views of the applicant's agent, three objectors, a representative of the Parish Council and one of the Ward Councillors, who spoke against the application, all of who Members heard).

RESOLVED – That the Director of Economic Growth be authorised to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990 to secure planning obligations that are appropriate for the development covering :-

- (i) Sustainable transport improvements;
- (ii) Highway improvements;
- (iii) Public transport provision;
- (iv) Education; and
- (v) Affordable housing.

(b) That upon satisfactory completion and signing of that agreement, planning permission be granted subject to the following conditions :-

General

1. Approval of the following details ('the reserved matters) in respect of the development shall be obtained from the Local Planning Authority in writing before the development is commenced :-

- (a) layout
- (b) scale
- (c) appearance
- (d) landscaping

The development shall not be carried other than in accordance with the approved plans. Application(s) for the reserved matters for any building/s or phase of development shall be made to the local planning authority before the expiration of eighteen months from the date of this permission.

Reason – To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990 and to ensure the speedy provision of this site for the approved development.

- 2. The development hereby permitted shall be begun either before the expiration of;
 - (a) three years from the date of this permission, or
 - (b) one year from the date of approval of the last of the reserved matters to be approved; whichever is the later.
- 3. E3 – Landscaping (Implementation).
- 4. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include :-
 - (a) the numbers, type, tenure and location on the site of the affordable housing provision to be made, which shall consist of not less than 20% of housing units;
 - (b) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- (c) The arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing] (if no RSL involved);
- (d) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- (e) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Or

An off-site financial contribution to be paid to the Local Planning Authority through a Unilateral Undertaking.

Both the above to be subject to the results of a viability assessment of the proposed development.

Reason – To comply with Council Housing Policy.

Highways

5. Prior to the commencement of the development, precise details of the internal highways layout and site access junction shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the provision of a footway along Roundhill Road across the frontage of the development and to the south, connecting into the surrounding pedestrian infrastructure. The development shall not be carried out otherwise than in complete accordance with the approved details.

Reason – In the interests of highway safety.

6. No development shall be carried out unless and until vehicle swept path analysis has been undertaken to support the movement framework for emergency vehicles, refuse and service vehicles for the internal network and, where appropriate, in respect of the off-site highway proposals, details of which shall be submitted to and approved by the Local Planning Authority.

Reason – In the interests of highway safety.

7. Prior to the commencement of the development, precise details of car parking and secure cycle parking and storage details shall be submitted and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

Reason - In the interests of highway safety.

8. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include details for wheel washing, a dust action plan, the proposed hours of construction, vehicle routes, road maintenance and signage. The development shall not be carried out otherwise than in complete accordance with the approved detail.

Reason – In the interests of highway safety.

9. A Road Safety Audit shall be carried out for all of the works within the public highway and the scope of the audit shall be agreed in writing with the Local Planning Authority. The development shall not be carried out otherwise than in complete accordance with the approved audit.

Reason – In the interests of highway safety.

Sustainable Transport

10. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development shall be occupied until a Travel Plan, to help reduce dependency on the use of the private car has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan should include clear and unambiguous objectives and modal split targets, together with a time-bound programme of implementation, monitoring and regular review and improvement; Thereafter, the development shall not be carried out otherwise than in accordance with the terms of the approved Travel Plan.

Reason - To encourage the reduction of journeys made to and from the development by private motor vehicles by the promotion of more sustainable forms of transport.

11. Prior to the commencement of the development, precise details of secure cycle parking and storage details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and design of the cycle stands and the development shall not be carried out otherwise than in complete accordance with the approved details.

Reason – In the interests of highway safety.

Archaeology

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been approved in writing by the Local Planning Authority. The scheme shall provide for:

- (a) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance;
- (b) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts;
- (c) Post-fieldwork methodologies for assessment and analyses;
- (d) Report content and arrangements for dissemination, and publication proposals;
- (e) Archive preparation and deposition with recognised repositories;
- (f) A timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy;
- (g) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works;
- (h) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

Reason – To comply with para 135 and 141 of the NPPF because the site is of archaeological interest.

13. Prior to the development being beneficially occupied, a copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record.

Reason – To comply with para 141 of the NPPF, which requires the developer to record and advance understanding of the significance of a heritage asset to be lost, and to make this information as widely accessible to the public as possible.

Flood Risk and surface water drainage

14. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated August 2016,

referenced 'Hurworth on Tees Preliminary Flood Risk Assessment and Drainage Strategy' compiled by Shadbolt Group Consulting and the following mitigation measures detailed within the FRA:

- (a) All proposed development must occur in Flood Zone 1 as stated in section 8.0. No development shall take place in Flood Zone 2 or Flood Zone 3.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason – To reduce the risk of flooding to the proposed development and future occupants

15. The development hereby approved shall not be commenced on site, until a scheme of 'Surface Water Drainage and Management' for the implementation, maintenance and management of the sustainable 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:

- (a) Detailed design of the surface water management system;
- (b) A build program and timetable for the provision of the critical surface water drainage infrastructure;
- (c) A management plan detailing how surface water runoff from the site will be managed during construction phase;
- (d) Details of adoption responsibilities;
- (e) Management plan for the Surface Water Drainage Scheme and any maintenance and funding arrangement;

The development hereby approved shall not be brought into use until the approved 'Surface Water Drainage' scheme has been implemented and the approved scheme shall be maintained in accordance with the Surface Water Management scheme for the lifetime of the development.

Reason – To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the guidance within Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

Ecology

16. Prior to the commencement of any works, a detailed mitigation plan for species identified in the ecological survey and assessment dated September 2016 shall be submitted to and approved in writing by the Local Planning Authority.

The measures as detailed in the approved mitigation plan shall also include details of measures to enhance the ecology and biodiversity of the site through appropriate landscape planting and long-term management. The development shall not be implemented otherwise than in accordance with the agreed specified details and timetable and thereafter shall be permanently maintained in accordance with the approved details.

Reason - To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, Policy CS15 of the Core Strategy.'

Construction Management Plan

17. Prior to the commencement of the development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The plan shall include the following:

- (a) Dust Assessment Report, which assesses the dust emission magnitude, the sensitivity of the area, risk of impacts and details of the dust control measures to be put in place during the construction phase of the development. The Dust Assessment Report shall take account of the guidance contained within the Institute of Air Quality Management 'Guidance on the assessment of dust from demolition and Construction' February 2014.
- (b) Methods for controlling noise and vibration during the construction phase and shall take account of the guidance contained within BS5228 'Code of Practice for noise and vibration control on construction and open sites' 2009;
- (c) Construction Traffic Routes, including parking areas for staff and visitors;
- (d) Details of wheel washing;
- (e) Road maintenance;
- (f) Warning signage

The development shall not be carried out otherwise than in complete accordance with the approved plan.

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

18. Construction work, including the delivery of material to the site and removal of wastes, shall not take place outside the hours of 08.00-17.00 Monday to Friday, 08.00 – 13.00 Saturday with no working on a Sunday and Bank/Public Holidays without prior written permission from the Local Planning Authority.

Reason – In the interests of residential amenity.