

Item 4

SEDGEFIELD BOROUGH COUNCIL

REPORT TO DEVELOPMENT
CONTROL COMMITTEE
27TH APRIL 2007

REPORT OF THE HEAD
OF PLANNING SERVICES

ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED
MEANS OF ACCESS (OUTLINE APPLICATION) AT ROSE STREET,
TRIMDON GRANGE

1.0 PURPOSE OF THE REPORT

- 1.1 To ratify the decision made by the Development Control Committee on the 2nd February 2007 to approve the planning application 7/2006/0521/DM for residential development, following confirmation from the Government Office for the North East (GONE) that the Secretary of State had decided not to call in the application to determine herself and that the application should remain with the Council for decision.

2.0 BACKGROUND

- 2.1 On the 2nd February 2007 Development Control Committee endorsed the officer recommendation of approval in respect of the above-mentioned planning application. The decision to grant approval was made in the knowledge that the application needed to be referred to GONE because, whilst the housing development was proposed on brownfield land, the site is located outside the recognised residential framework of Trimdon Grange.
- 2.2 The purpose of referring an application to GONE is to enable the Secretary of State to decide whether or not she wishes to call in the application to determine herself.

3.0 THE DECISION OF THE SECRETARY OF STATE

- 3.1 Notification has now been received from GONE stating that the Secretary of State has decided not to call in the application. The Secretary of State in arriving at this decision has decided that the main matters are national policies:-
 - which contribute to the delivery of sustainable development through the achievement of social cohesion and inclusion, the protection and enhancement of the environment, the prudent use of natural resources,

and sustainable economic development (PPS1 - *Delivering Sustainable Development*);

- which seek to address the causes and potential impacts of climate change by reducing energy use and emissions, promoting the development of renewable energy resources, and taking climate change impacts into account in the location and design of development (PPS1 - *Delivering Sustainable Development*);
- to provide housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure (PPS3 - *Housing*);
- to ensure a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural (PPS3 - *Housing*);
- to encourage high quality housing that is well-designed and built to a high standard (PPS3 - *Housing*);
- to ensure a sufficient quantity of housing, taking into account need and demand and seeking to improve choice (PPS3 - *Housing*);
- to ensure a flexible, responsive supply of land, managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate (PPS3 - *Housing*);
- to balance the location requirements of business with wider environmental and social objectives (PPG4 - *Industrial and Commercial Development and Small Firms*);
- to use planning conditions to ensure the conservation and enhancement of the site's biodiversity or geological interest (PPS9 - *Biodiversity and Geological Conservation*);
- to reduce the need to travel by car (PPG13 - *Transport*);
- to meet the open space, sport and recreation requirements of the whole of the community by securing new provision (PPG17 - *Planning for Sport, Open Space and Recreation*);
- to ensure that development control decisions are taken efficiently and are consistent with national and international climate change policy obligations (PPS22 - *Renewable Energy*);
- to control or reduce the impact of noise, as far as practicable, at the planning stage (PPG24 - *Planning and Noise*);
- to ensure that planning applications are accompanied by a flood risk assessment (PPS25 - *Development and Flood Risk*).

The Secretary of State has concluded, on balance, that her intervention would not be justified as there is not sufficient conflict with national planning policies on the above matters or any other sufficient reason to warrant calling-in the application for his own determination. She has therefore concluded that the application should remain with the Sedgefield Borough Council for decision.

4.0 RECOMMENDATION

4.1 That in light of the Secretary of State's decision not to call in the application, Development Control Committee endorse the earlier recommendation of approval and that the Head of Planning Services be given authority, in consultation with the Borough Solicitor, to enter into a Section 106 Legal Agreement to secure the following heads of terms which were set out in the report to committee:

- A Management Plan for the future management and maintenance of areas of open space.
- A Design Code for the site comprising details of mix of house types, types of materials, surface treatments, street furniture and means of enclosure.
- Off site highway works to provide a 1.8 metre wide footway to adoptable standards along the northern side of Rose Street from the junction with the B1278 to the entrance of the development site.
- The provision of 10% affordable housing spread across the site.

Contact Officer: Steve Teasdale
Telephone No. (01388) 816166 Ext 4498
Email Address: steasdale@sedgefield.gov.uk

Background Papers:

1. Planning Application Ref No. 7/2006/0521/DM
2. Letter dated 8/3/07 from GONE



GOVERNMENT OFFICE
FOR THE NORTH EAST

Mr C Walton
Head of Planning and Technical Services
Sedgefield Borough Council
Council Offices
Green Lane
SPENNYMOOR DL16 6JQ

Regional Group

Citygate
Gallowgate
Newcastle upon Tyne
NE1 4WH

Your Ref: 7/2006/0521/DM
Our Ref: GONE/M/1330/219/07/2

DEVELOPMENT CONTROL
RECEIVED

Date: 8 March 2007

12 MAR 2007

Tel: 0191 201 3300
Direct: 0191 202 3643
Fax: 0191 202 3744
Minicom: 0191 202 3515
www.go-ne.gov.uk
ian.martin@gone.gsi.gov.uk

Dear Mr Walton

**PROPOSED RESIDENTIAL DEVELOPMENT AND MEANS OF ACCESS ON LAND AT
ROSE STREET, TRIMDON GRANGE**

I refer to your letter of 20 February 2007 referring to the Secretary of State for Communities and Local Government, under the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999, an application for planning permission for the above development.

2. As you know, the Secretary of State's general approach is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so. Parliament has entrusted them with responsibility for day-to-day planning control in their areas. Local planning authorities are normally best placed to make decisions relating to their areas and it is right that in general, they should be free to carry out their duties responsibly, with the minimum of interference.

3. There will be occasions, however, when the Secretary of State may consider it necessary to call in a planning application to determine it herself, instead of leaving it to the local planning authority. Her policy is to be very selective about calling in planning applications. In general, she will only take this step if planning issues of more than local importance are involved and if those issues need to be decided by the Secretary of State rather than at a local level. Each case is, however, considered on its own facts.

4. We have carefully considered all the matters raised about this application. The issue before the Secretary of State for decision is not whether the application should be granted planning permission, but whether or not she should call it in for her own determination. The Secretary of State considers that the main matters relevant to her decision in this case are national policies:

WALTOLR3 (GC 07)



INVESTOR IN PEOPLE



GOVERNMENT OFFICE
FOR THE NORTH EAST

2

- which contribute to the delivery of sustainable development through the achievement of social cohesion and inclusion, the protection and enhancement of the environment, the prudent use of natural resources, and sustainable economic development (PPS1 – *Delivering Sustainable Development*);
- which seek to address the causes and potential impacts of climate change by reducing energy use and emissions, promoting the development of renewable energy resources, and taking climate change impacts into account in the location and design of development (PPS1 – *Delivering Sustainable Development*);
- to provide housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure (PPS3 – *Housing*);
- to ensure a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural (PPS3 – *Housing*);
- to encourage high quality housing that is well-designed and built to a high standard (PPS3 – *Housing*);
- to ensure a sufficient quantity of housing, taking into account need and demand and seeking to improve choice (PPS3 – *Housing*);
- to ensure a flexible, responsive supply of land, managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate (PPS3 – *Housing*);
- to balance the location requirements of business with wider environmental and social objectives (PPG4 – *Industrial and Commercial Development and Small Firms*);
- to use planning conditions to ensure the conservation and enhancement of the site's biodiversity or geological interest (PPS9 – *Biodiversity and Geological Conservation*);
- to reduce the need to travel by car (PPG13 – *Transport*);
- to meet the open space, sport and recreation requirements of the whole of the community by securing new provision (PPG17 – *Planning for Sport, Open Space and Recreation*);

WALTOLR3 (GC 07)



INVESTOR IN PEOPLE

3

- to ensure that development control decisions are taken efficiently and are consistent with national and international climate change policy obligations (PPS22 – *Renewable Energy*);
- to control or reduce the impact of noise, as far as practicable, at the planning stage (PPG24 – *Planning and Noise*);
- to ensure that planning applications are accompanied by a flood risk assessment (PPS25 – *Development and Flood Risk*).

5. The Secretary of State has concluded that her intervention would not be justified as there is not sufficient conflict with national planning policies on the above matters or any other sufficient reason to warrant calling-in the application for her own determination. She has therefore concluded that the application should remain with Sedgfield Borough Council for decision.

6. In considering whether to exercise her discretion to call-in the application, the Secretary of State has not considered whether the development proposed is "EIA development" for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The local planning authority responsible for determining the application remains the relevant authority responsible for considering whether the 1999 Regulations apply to the proposed development and, if so, for ensuring that the requirements of the 1999 Regulations are complied with.

7. Would you please forward to the Secretary of State at the address of this Office a copy of any permission granted for the development referred to above, in accordance with paragraph 6 of the above Direction?

Yours sincerely



IAN D J MARTIN
Authorised by the Secretary of State
to sign in that behalf

WALTOLR3 (GC 07)

