

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 12TH DECEMBER 2007

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

07/2684/OUT

Land to the Rear of the Stables, Kirk Hill, Redmarshall

Outline application for erection of 21 no. two and three bedroom affordable dwellings

Expiry Date 17th December 2007

SUMMARY

Outline planning permission is sought for 21 affordable dwellings on a site immediately adjoining the existing settlement of Redmarshall and outside of the defined limits to development. The application seeks permission for access only and has indicated that appearance, layout, scale and landscaping would all be reserved matters, although an indicative site layout has been supplied. Access to the development is indicated as being taken off Kirk Hill Road to the north.

The proposed development would require the relocation of the existing bus stop and the applicant has advised he would be prepared to fund a highway improvement scheme for traffic calming and to move the 30mph limit for the village.

Neighbours were notified and a total of 48 letters of objection, 7 letters of support and 1 letter of no objection were received. Main objections related to the impact of the scheme on highway safety, the character of the village and there being no requirement for affordable housing within Redmarshall. Letters of support mainly relate to the need and benefits that provision such a scheme would bring to the local communities.

The Head of Technical Services objects to the application highway safety grounds, on the basis that there is insufficient visibility, the location of the westbound bus stop and also insufficient parking within the site. Furthermore, the under provision may cause on-street parking to the detriment of highway safety and the inconvenience of village residents. It is also advised that the recent accident history for the location is 2 injury accidents in the last 3 years, 1 resulting in a serious injury and the other in a slight injury.

It is considered that the development of this site for an affordable housing scheme is unjustified. Redmarshall is considered to have insufficient services and is inherently unsustainable. The aim of this development to provide a level of affordable housing is not supported by any robust and sound study as being needed by the village or the immediately surrounding settlements. The site is therefore considered unjustified as a rural exception site.

It is considered that the development would be out of keeping with the form, layout and scale of surrounding properties, at a prominent position in the landscape, and fails also to provide adequate parking, structural landscaping and open space. It is considered that the proposed new access would be detrimental to highway safety whether or not a scheme was implemented to move the bus stop and speed limit due to potential highway conflicts.

In view of all of the above it is considered that the proposed development would be contrary to Policies GP1, H03, H011, TR15 of the adopted Stockton on Tees Local Plan as well as PPS 1

RECOMMENDATION

Planning application 07/2684/OUT be Refused for the following reasons

- 01. In the opinion of the Local Planning Authority, development of this site for an affordable housing scheme is considered to be unjustified. Insufficient, robust and sound evidence to indicate any clear need for a development of this scale which would make a contribution to the settlement as a sustainable, mixed and inclusive community, which would outweigh policies of restraint has not been provided, contrary to PPS3 Housing.**
- 02. The proposal is on a greenfield site and outside of the limits of development for Redmarshall as defined by the adopted Stockton on Tees Local Plan. The development does not relate to forestry, farming, tourism, sport, recreation or diversification of the rural economy, and would have an urbanising affect on the character and appearance of the countryside, contrary to Policy EN13 of the adopted Stockton on Tees Local Plan and PPS 7 Sustainable Development in Rural Areas.**
- 03. In the opinion of the Local Planning Authority, the proposed site is in an unsustainable location for additional residential development, in view of the settlement having limited services and provisions, thereby requiring occupants to travel for employment, education, retail and recreational uses. It is considered that the proposed development is contrary to Government guidance with respect to locating residential development in sustainable locations as set out in PPS 1 - Delivering sustainable development, PPS 3 - Housing and PPS 7 - Sustainable Development in Rural Areas.**
- 04. In the opinion of the Local Planning Authority, the proposed development would fail to achieve adequate visibility at its access which would compromise traffic movements and visibility in close proximity to a crossroads, to the detriment of highway safety contrary to Policies GP1, HO3, HO11 and TR15 of the adopted Stockton on Tees Local Plan.**
- 05. In the opinion of the Local Planning Authority, the density, indicated layout and scale of development would, by virtue of its prominent location on the edge of Redmarshall village, have an unacceptable detrimental impact on the character of the existing settlement and surrounding countryside contrary to Policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan and PPS 1 - Delivering Sustainable Development, PPS 3 - Housing and PPS 7 Sustainable Development in Rural Areas.**
- 06. In the opinion of the Local Planning Authority, the scheme provides insufficient usable open amenity space for the future occupiers of the site, contrary to the requirements of Policy HO11 of the adopted Stockton on Tees Local Plan.**
- 07. In the opinion of the Local Planning Authority, the proposed development fails to provide sufficient parking spaces which may lead to on street parking to the detriment of pedestrian and highway safety contrary to Supplementary Planning Document 3: Parking Provision for New Developments and Policies GP1, HO3 and HO11 of the adopted Stockton on Tees Local Plan.**

BACKGROUND

Relevant planning history for this site is:

1. 97/2096. Application for the erection of a dwelling house. Refused 23rd January 1998.
2. 00/0629. Outline application for the erection of a dormer bungalow. Approved 25th July 2007.
3. 02/2528. Outline application for the erection of a two storey dwelling and garage. Refused 31st January 2003 for the following reason:

The proposed dwelling represents development in the open countryside contrary to Policy EN13 of the adopted Stockton on Tees Local Plan, which states that development outside the limits to development will only be permitted if

- i) it is necessary for a farm of forestry operation; or*
- ii) it falls within policies EN20 (reuse of buildings) of Tour 4 (Hotel conversions); or; in all the remaining cases and provided that it does not harm the character or appearance of the countryside; where*
- iii) it contributes to the diversification of the rural economy; or;*
- iv) it is for sport or recreation; or*
- v) it is a small-scale facility for tourism.*

4. 03/0413/P. Reserved matters application for the erection of a detached dormer bungalow and installation of a septic tank. Refused 23rd May 2003 for the following reasons:

In the opinion of the Local Planning Authority the site is of insufficient size to satisfactorily accommodate a dwelling of such dimensions and would result in a development which would lead to a cramped appearance out of character in this village location, leaving little amenity space for future occupiers of the bungalow in addition to having an overbearing effect on the residents of Greencroft next door.

In the opinion of the Local Planning Authority, the development is deficient in terms of car parking provision, and it has not been adequately demonstrated that vehicles can park on the site and enter and leave the site in forward gear, which could lead to manoeuvring on and off the highway presenting a danger to pedestrians and other road users and interrupt the free flow of traffic.

Appeal made and dismissed

5. 03/2705/REV. Resubmission of reserved matters application for the erection of a detached dormer bungalow and the installation of a private treatment plant. Approved with conditions 8th April 2004. Development carried out without discharging all conditions, and contrary to some conditions.

Appeal made and upheld in part and dismissed in part.

6. 04/1194/COU. Application to reposition the access on planning approval 03/27050REV, to change the use of agricultural land to domestic garden and the erection of a stable block on the remaining agricultural land.
Refused on the 24.06.2004 for the following reason:

The proposal will extend development beyond the defined village limits into open countryside leading to an unjustified loss of agricultural land to the detriment of local amenities and contrary to strategic and local plan policy.

Appeal made and dismissed

7. 06/3790/FUL. Application for the erection of a stable block for use as horse breeding business.
Refused on the 16th February 2007. Refused for the following reasons:

In the opinion of the Local Planning Authority, the submitted details and business plan are considered to be insufficient to justify the development based on the requirements of PPS7 to strictly control new development in the countryside or areas outside of established towns and villages in that they do not clearly show that there is a need for the operation or that the operation could function as a business which would contribute to the rural economy. Furthermore, the proposed scale of the use would be dependent on achieving the use of land outside of the applicants ownership for which there is no evidence to support claims that it would be available for such purposes. As such, the proposed development is considered to be contrary to PPS 7 Sustainable development in rural areas.

In the opinion of the Local Planning Authority it is considered that the proposed development, its associated usage and the nature of vehicles likely to use the access, would be unable to achieve adequate visibility at the access to the site which is at a point in the highway where there are several highway obstructions. As such, the proposed development would compromise highway safety, contrary to Policies GP1 and TR15 of the Stockton on Tees Local Plan.

In the opinion of the Local Planning Authority it is considered that the proposed development would have a detrimental impact on the character of the surrounding area as a result of its relatively prominent position, its location on the edge of the village and the proposed use of materials, being contrary to Policy GP1 of the Stockton on Tees Local Plan.

Appeal made and dismissed due to lack of evidence to support business case and impact of building on open character of the area.

PROPOSAL

8. This outline application proposes 21 affordable dwellings on a 0.6ha site on the north eastern edge of Redmarshall. The applicant contends that the new homes would meet a local need in the cluster of villages to the west of Stockton, including Redmarshall, Carlton, Whitton, Thorpe Thewles and Stillington and various small holdings. It is advised that there would be 11 dwellings for shared ownership and 10 for rental.
9. The application seeks permission for access only and has indicated that appearance, layout, scale and landscaping would all be reserved matters. The Design and Access

Statement advises that the plan layout option C is the layout intended as the formal proposal for this site with other options “being developed and considered as alternatives”, although it is stressed that the layout is intended as being a reserved matter.

10. The submission indicates that the current use of the land is unused agricultural land but has been used for equestrian purposes in the past.
11. Access to the development would be from Kirk Hill, to the north of the site. Internally, the access would run adjacent to a recently constructed bungalow, which is in the same ownership as the application site. This new access would require the existing bus stop located at the point of access to be relocated.
12. The applicant has advised that there have been changes to an initial proposal, which have been influenced by;
 - the figures represented in the councils Local Housing Assessment Report 2006,
 - their being an increase in interest rates having a negative impact on need,
 - a continuing increase in house prices,
 - a defined sustainability problem with the rural villages;
 - a desire to reduce the impact on neighbouring properties through moving them further away,
 - CABE guidance on density,
 - The need to ensure the scheme is commercially viable for a Registered Social Landlord,
 - the lack of genuinely available alternative sites for affordable housing.

CONSULTATIONS

The following Consultations were notified and any comments received are set out below:-

13. Northumbrian Water Limited
Northumbrian Water has no objections to the proposed development.
14. NEDL
General comments about connections and works
15. Northern Gas Networks
No Objections
16. Councillors
No comment received
17. Redmarshall Parish Council
Are totally against the proposal which does not meet any planning guidelines or the housing criteria in PPS 3 as it is not on previously developed land, it is not sustainable due to a lack of services, whilst Redmarshall has a poor bus service with no direct service to the Local Doctors. It does not meet any of the six key principles of PPS 7 which relate to sustainable, carefully sited accessible development on brownfield sites. The site is outside the village limits, in a prominent position thereby detracting from the character and appearance of the area. Furthermore, the development will create additional traffic onto a road where the Local Authority has previously refused permission for one single access.
18. Additional comments
Although we realize that the above planning application has now been closed for comments, we are extremely concerned with regard to the content of the appendix and

would like to take this opportunity to make you aware of the telephone conversation between Mr Brian Buckley of Highway Services and ourselves.

19. The Parish Council have at no time been approached by any residents, and were not aware of any problems due to poor lighting of the bus stop on Kirk Hill. We were therefore surprised to read that without consultation with the Parish Council or the residents of Redmarshall 'the relevant cabinet member' had approved a request to extend the existing lighting which would inevitably extend the 30mph speed limit, from a property developer, who does not live in the village.
20. After a telephone enquiry from myself to Highway Services, Mr Buckley contacted me and explained the background to the proposal. Mr Buckley has suggested that the proposal for street lighting to be extended to incorporate the bus stop on Kirk Hill and the extension of the 30mph speed limit should now be taken into a consultation period with the residents of Redmarshall and the Parish Council and he has offered to attend our next meeting on the 12th November 2007 to discuss the matter. Therefore, until the consultation with the residents is concluded, no work will be under taken, and we feel that this information should be taken into consideration.

Carlton Parish Council

21. Carlton Parish Council wishes to register a strong objection to the application, which is outside the specified limits to development and is therefore contrary to the Local Plan. It would thus set a precedent which would result in numerous applications for development around Redmarshall and neighbouring villages. The application would result in vehicles for 21 houses using a section of highway completely unsuitable for this function, at the point where the speed limited is changing from 30mph to National Speed Limit. We are concerned about flooding and drainage issues associated with the development site and the adjacent water course that leads subsequently into existing properties in Carlton. We also object to the loss of a hedge which would result at the proposed access route into the development.

Urban Design Engineers

22. Redmarshall Road is a 60mph rural road that reduces to 30mph near to Redmarshall Village centre / the crossroads. The applicant proposes to fund the extension of the 30mph eastwards along Redmarshall Road limit to cover the site access. The applicant is willing to fund the implementation of traffic calming measures and/or a gateway feature in the interests of highway safety. This approach is welcomed and will be necessary if the application gains approval and therefore subject to a S106 agreement. However a key highway concern is the proximity of the site to the crossroads. I note the comments that have been made regarding the extension of street lighting to incorporate the westbound bus stop, this is currently under review by the Highway Network Manager. Should the additional street light go ahead and hence an extension to the 30mph speed limit, then it will be appropriate for speed surveys to be undertaken, in order to ascertain the actual speed of vehicles in order to determine appropriate visibility required for an additional access due to the close proximity of the national speed limit. At present it is necessary that visibility to the right of the access should be in accordance with the requirements of a 60mph speed limit, i.e.: 4.5m x 215m and hence is unachievable. I therefore object to this application on road safety grounds.
23. The site benefits from being in close proximity of a bus stop providing public transport access into Stockton town centre. A bus stop is located directly outside the site but the applicant is proposing to relocate the bus stop if necessary and fund the construction of a low floor bus stop, tactile paving and signage if required. There are serious traffic management concerns regarding the proposed relocation of the bus stop taking it nearer to the crossroad junction and this may have implications on the operation of this junction, particularly with regards to visibility and also with respect to this bus stop being closer to the eastbound bus stop and possible conflicts should buses service both stops at the same time.

24. Drawing number 07T372-02 shows the proposed access road to be 4.8m wide and the footway, on one side of the access road only, to be 2m wide. However other drawings submitted of the site plan show a footway on both sides of the internal access road. Clarification is required on whether the site can accommodate a footpath on both sides of the access road to the requisite standards.
 25. There is insufficient parking within the site. In accordance with the Council's parking standards in central, rural locations 3 bedroom properties in this location require 3 parking spaces and 2 bedroom properties require 2. The applicant is proposing 1 space per dwelling and 9 visitor spaces. I also have concerns that the proposed layout will result in cars reversing for an unacceptable distance to exit the parking bays (bays 17, 8, 9 and 10). The applicant will need to demonstrate that cars reversing from the parking bays can manoeuvre within the area and exit into the access road in a forward gear.
 26. In summary, I object to the application as it stands due to the road safety issues highlighted above with regard to insufficient visibility and the location of the westbound bus stop and also insufficient parking within the site. This under provision may cause on-street parking to the detriment of highway safety and the inconvenience of village residents.
 27. Further to previous comments, the Highway Network Manager has consulted the Parish Council regarding the installation of an additional street light at the existing bus stop and confirms that this has been rejected by the Parish Council.
 28. The recent accident history for the location is 2 injury accidents in the last 3 years, 1 resulting in a serious injury and the other in a slight injury.
- Urban Design Landscape
29. The application site is located on the north eastern edge of the village outside the limits to development. There are some very attractive trees and hedges on the site boundaries to the north east and south west and planting just off the site on the southern boundary which must be retained and protected in any approved development. There is a small apple tree and birch tree within the site-the apple is not of high amenity value and the birch could be replaced elsewhere on site. The properties to the north west of site overlook the field with little or no screen planting at present.
 30. In any approved development all existing tree and hedge planting on the boundaries would have to be fully protected during any site works. The site layout of the houses does not reflect the settlement pattern of the village and allows for no amenity space within the development. There is also no amenity space within the village to allow for off site contribution so the development is therefore unsustainable.
 31. If any scheme were allowed native screen planting on all the site boundaries should be provided to supplement the existing vegetation to soften views into the site both from the existing houses around the site and Carlton village to the north east. In the current layout this would cause shading problems on the North West boundary and due to the housing densities on the site problems could arise with the proximity of new and existing trees in relation to the house foundations. This would inevitably lead to repeated requests to have the screen planting removed. It is also possible that some tree planting at the site entrance would be affected by site lines.
 32. We would object to the development on the grounds that the site is over developed which could lead to a loss of existing planting and new screen planting, it is outside the settlement boundary and is unsustainable in terms of amenity space provision.

Spatial Plans Manager

33. I consider that the appropriate spatial planning frame of reference for this application is the guidance in PPS3 relating to "rural exception site policy". The guidance states that small sites may be used, specifically for affordable housing in small rural communities that would not normally be used for housing.
34. I do not consider that this development proposal is consistent with the rural exception site framework. I would point out that PPS3 requires the delivery of rural affordable housing to be informed by evidence with clear targets. The Stockton-on-Tees Local Housing Assessment (LHA) shows a rural affordable housing need of 14 units. The proposal is for 21 units.
35. The applicant has not submitted as any evidence to challenge the robustness of the overall rural need figure shown in the LHA. Nor has the applicant carried out a local housing needs survey i.e. specific to Redmarshall to, to show a genuine and proven need that is proportionate to the proposed scale of development.

Environmental Health Unit

36. I have no objection in principle to the development, however, I do have concerns regarding environmental issues and would recommend that conditions be imposed on the development in respect to construction noise and recommend working hours on site to be restricted to 8.00 a.m. - 6.00 p.m on weekdays, 8.00 a.m. - 1.00 p.m. on a Saturday and no Sunday working.
37. We have reviewed the Land Quality information in relation to the above application. It is evident that there are no known features underlying the site or within 250m that will have effect on the proposed development. Therefore no contaminated land condition shall apply. If you require any further information, please do not hesitate to contact me.

Head of Housing

38. As evidenced by the Local Housing Assessment (published Dec 2006) a Borough wide affordable housing requirement of an additional 200 units over a 5 year period. By sub-area 'Rural Villages' have an identified need of 10 units over this period. In addition, information available from the housing register confirms demand (copy supplied to the applicant - Appendix 7 of the application).
39. Whilst the applicant clearly states this application is for 'affordable' housing, further clarity should be sought to confirm that both the proposed shared equity and rented elements would fall within the 'affordability' thresholds as details within the Local Housing Assessment i.e. further detail would be required on rental levels and the cost of the equity share option. In addition to be affordable this must be for perpetuity.
40. Further to your letter dated 31st October 2007 and the supply of additional information - please accept this email as confirmation that I have no additional comments to make at this stage. I can confirm I have received copies of the additional supporting information supplied regarding the above application and have nothing further to add to my earlier comments.

Open Space and Recreation officer

41. I would object to the development as it is shown within the design as it does not include any open space provision and would therefore not be sustainable. The development must include 'on site' public open space suitable for active recreation (kickabout area) as an 'off site' contribution would not be acceptable as Redmarshall has no other open space areas owned within the public domain.

PUBLICITY

42. The proposal has been publicised by means of site notice, press notice and individual letters to neighbours. A total of 48 letters of objection, 7 letters of support and 1 letter of no objection were received.
43. Letters of objection have been received from the occupants from the following addresses.
1, 2, 7, 8, 9, 10 Rydal Way Redmarshall
1, 5, 7, 8, 10, 12 Windermere Avenue Redmarshall
3, 5, 6, 7, 8 Derwent Close Redmarshall
1, 2, 3, 4, 8 Coniston Crescent
Holywell House, Redmarshall
28 Green Leas Carlton
Barford Cottage, 1, 3a, 5, 7, 9, 11, 25, 27, Drovers Lane
10 Church Lane
10, 21 Mainside
3 Windermere Avenue
10 Green Leas
44. Letters of support have been received from the occupants from the following addresses.
11 Tunstall Road Hartburn
Hall Farm Carlton
Wynyard Court, Thorpe Thewles
21 Cannobie Close, Darlington
Poplars Farm, Carlton
High Meadow Farm, Carlton
45. 1 letter of no objection has been received from the occupants from the following addresses.
10 Church Lane

Comments of support are summarised as follows;

46. It will allow people who grew up in the area to return and able to afford the house prices, thereby benefiting local community
Children who would like to stay in the immediate area would benefit from this
Occupiers may provide workforce for local businesses
It will provide decent homes at affordable prices

Comments of objection are summarised as follows;

47. Highway Matters
- The proposed development would result in increased traffic, at an entry and exit point which is within a 60mph zone, on an incline approaching crossroads (which is used by large lorries, farm machinery and domestic traffic) where there are bus stops on either side of the highway in a location where the majority of traffic ignores the 30mph limit. When busses are in the stops it makes it impossible to see past them and large numbers of school children wait for school busses around the corner on Drovers Lane. These matters will reduce highway safety and result in more accidents.
 - There has been a recent serious accident outside the proposed entrance to the property, and two accidents in Drovers lane.
 - The proposal would require the moving of the bus stop which will reduce highway safety.
 - The sightline indicated is misleading
 - The development would lead to overspill parking on adjoining highways near to crossroads.

48. Character and appearance matters
- Redmarshall has already grown too much in recent years. This would result in it encroaching closer to Carlton, eroding the green strip, whilst the development would not be integrated into the Redmarshall pattern of development, and resulting in Redmarshall starting to lose its identity.
 - The scheme would significantly change the character of the village
 - Two and three bedroom properties will stand out above the surrounding skyline of the adjacent bungalows.
 - It will affect the peaceful and prestige nature of the village, turning it into an average housing estate.
 - Not enough room for the houses to contain their own vehicles and visitors vehicles within the site thereby affecting the character of the village
 - The houses are too close together to one another.
 - Providing nearly 20% affordable housing in the village would change the character significantly.
49. Privacy and amenity
- The access road looks restricted and would be to the detriment of the people living in the new bungalow
 - The level of development and the proposed 2 storey houses will overlook existing houses thereby affecting their peace, privacy and amenity as well as affecting their sunlight.
 - Additional noise pollution from the site.
50. Other matters
- Expansion outside of the defined limits of development would set an undesirable precedent.
 - Over development of the village.
 - There is no provision for open space for formal and informal amenity space
 - Redmarshall consists mainly of persons at retirement age, there are already two and three bedroom properties available for rent within the village and there is no requirement for affordable housing in Redmarshall.
 - There is a large development at Stillington which is providing affordable homes for the area whilst affordable housing can be provided elsewhere in Stockton. There are enough brownfield sites in the Borough to prevent the use of greenfield land whilst there is ample affordable housing already in Redmarshall, Carlton, Stillington, Letch Lane and Stockton
 - Social housing is required but the poor and needy need access to a full range of social services including school, work, shopping and recreation.
 - This will increase crime and antisocial behaviour.
 - Sewage removal and water pressure will not be able to cope as existing problems with these.
 - Future occupiers of the site would need to bus their children to school.
 - The bus service in the village is poor, being hourly and visiting several other places prior to reaching Stockton therefore making it a long journey.
 - There are groundwater problems on the land which is susceptible to flooding and due to levels on the site water would be likely to drain down into adjoining properties causing sitting water and odour pollution
 - Detrimental impact on house prices
 - It is only a few months since the applicant was proposing to develop a horse breeding business on the site.

PLANNING POLICY

51. The relevant development plan in this case is the adopted Stockton on Tees Local Plan (June 1997).

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans are: - *the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP)*.

The following planning policies are considered to be relevant to the consideration of this application:-

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy HO3

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Policy HO11

New residential development should be designed and laid out to:

- (i) Provide a high quality of built environment which is in keeping with its surroundings;
- (ii) Incorporate open space for both formal and informal use;
- (iii) Ensure that residents of the new dwellings would have a satisfactory degree of privacy and amenity;
- (iv) Avoid any unacceptable effect on the privacy and amenity of the occupiers of nearby properties;
- (v) Pay due regard to existing features and ground levels on the site;
- (vi) Provide adequate access, parking and servicing;
- (vii) Subject to the above factors, to incorporate features to assist in crime prevention.

Policy EN 13

Development outside the limits to development may be permitted where;

- (i.) It is necessary for a farming or forestry operation; or
- (ii.) It falls within policies EN20 (reuse of buildings) or TOUR 4 (Hotel conversions); or

In all remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv.) It is for sport or recreation; or
- (v.) It is a small scale facility for tourism.

Policy TR15

The design of highways required in connection with new development and changes of use will provide for all the traffic generated by the development, while the provision of off-street parking will normally be required to accord with the standards set out in the Stockton on Tees Borough Council Design Guide and Specification, Edition No 1.

- 52. Relevant National Planning Policy is set out in Planning Policy Statements, PPS 1 - Delivering Sustainable Development, PPS 3 - Housing and PPS 7 Sustainable Development in Rural Areas and Planning Policy Guidance Note 13: Transport.

SITE AND SURROUNDINGS

- 53. Redmarshall village is one of several small villages located within the north eastern corner of the Borough, surrounded by the open countryside and linked to the major settlements by way of the road network.
- 54. The application site is a 0.6ha in extent and is formed by a grassed agricultural paddock located on the north eastern edge of Redmarshall village. The site is bounded by residential properties to the west, a highway to the north and agricultural fields to the east and south. There is a small amount of landscaping around the edge of the site in the form of trees and hedgerows, whilst the internal area of the site is a grassed paddock.
- 55. The site is located at a height approximately 1.2m above the level of the adjacent highway to the north.

MATERIAL PLANNING CONSIDERATIONS

- 56. The main material planning considerations relating to this proposal relate to the principle of the provision of affordable housing on the site, access, layout, highway safety, landscaping and the impacts on the surrounding properties and the wider landscape. These and the other material planning considerations are considered in detail below;

Principle of the development

- 57. The site is on greenfield land, outside of the defined limits of development for Redmarshall where the general principle of residential development would not normally be supported by Policy EN13 of the Stockton on Tees Local Plan, which required that development in such locations to relate to farming, forestry, farm diversification, leisure or tourism. However, this proposal relates to the provision of affordable housing and consideration therefore has to be given to national and regional guidance in this regard.
- 58. National policy differentiates between affordable housing in urban areas from that within rural areas as these are effectively aimed at two separate groups of people. Affordable housing within the urban areas is intended to make housing more affordable to all with provision for key workers such as nurses etc. Guidance within PPS3 indicates that affordable housing in rural communities should aim to deliver high quality housing that contributes to the creation and maintenance of sustainable rural communities in market towns and villages whilst advises that exception sites (sites which would not normally be available for housing due to being subject to policies of restraint) can be used for rural

affordable housing. PPS 3 advises that such sites should only be used for affordable housing in perpetuity and should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.

59. Stockton Borough, although having rural areas, is not primarily a rural authority where there are significant rural communities in isolated places. It is more an urban authority with a number of commuter type settlements within close proximity to the main urban area. Although there is relatively extensive guidance in respect to affordable housing, the basic requirement is for an adequate level of affordable housing to be located in the appropriate areas to provide for specific demands.
60. The Stockton on Tees Local Housing Assessment indicates a need for 10no. affordable housing units within rural areas of the Borough. The Spatial Planning Manager advised 14 no. units being required although this is based on outdated information. The applicant has argued that this figure is likely to be low in view of the time it takes for such development to be provided ready for occupation from the initial concept stage, however, the assessed requirement for 10 no. units relates to the entire Borough. The majority of the settlements within the Borough which are located within rural areas are located further away from Redmarshall than the larger urban areas where affordable housing would be more readily available and sustainable living could be achieved. As such, should the use of the application site for affordable housing be accepted in principle, with robust and sound evidence to support the demand, it is considered that this location would only be suitable as providing for Redmarshall's needs.
61. The applicant's submission mentions provision for the northern parishes including Carlton, Whitton and Stillington. However, Stillington is a more sustainable settlement with existing brownfield sites. Whitton is more closely related to Stillington and as such, should demand be required at Whitton then it is argued that this would be more suitably provided at Stillington as against Redmarshall, which has no employment, community, leisure or educational facilities. It is considered that Redmarshall could not meet the demand placed on it from such a development in respect to these uses and as such would be contrary to the thrust of government guidance with respect to locating residential development in sustainable locations as detailed in PPS 1 - Delivering Sustainable Development, PPS 3 - Housing and PPS 7 Sustainable Development in Rural Areas.
62. It is not considered that this proposal would result in Redmarshall developing as a sustainable, inclusive mixed community given the existing limited provisions within the village. The development is therefore contrary to the guidance of PPS 3 in relation to rural exception sites.
63. The applicant's submission includes copies of letters from the local school at Stillington and the local bus operator which indicate that additional capacity can be accommodated by these services and although this may be the case, it is considered insufficient justification housing to be provided in unsustainable locations.
64. The unsustainability of Redmarshall as a settlement formed part of an appeal decision to dismiss a proposal for 5 no. Houses at The Mains Nursing Home, and a subsequent application being refused by the Local Planning Authority under application reference 06/0038/OUT for the erection of 20 dwellings on 7th April 2006. The appeal for the erection of 5 dwellings considered that Redmarshall was an unsustainable settlement as it has very few services and that occupants of the proposed houses would have to travel to Stockton or beyond to work.
65. The applicant has advised that there are no other reasonably available sites within the area; however, it is argued that this site is itself not reasonably available in view of the associated planning constraints.

66. The other settlements within the northern areas have land similar to this which is outside of development limits and on greenfield land and as such may be reasonably available for affordable housing were it deemed necessary within these villages. It is considered that there is no reason on planning grounds why Redmarshall would be suitable to provide affordable housing for the rural communities within the Borough.
67. Although the applicant has submitted information to question the affordable housing targets within the Local Housing Assessment, however, the applicant's arguments are not considered to be sufficiently evidenced to challenge the findings of the Council's Housing Assessment.

Delivery of affordable housing

68. The applicant has advised that he is willing to enter into a section 106 agreement in order to secure the provision of affordable housing. The draft Section 106 agreement submitted by the applicant is unacceptable to the Authority, as it does not provide for the provision of "affordable" housing as defined by PPS 3. The applicant has been advised of the situation and Members will be advised at the meeting of if there is a response to this issue.
69. Objections have been received from residents of the village in respect to affordable housing already being available within Redmarshall and other surrounding villages; however, it is considered that these comments do not relate to the type of affordable housing which this scheme aims to provide.

Access, parking and highway safety related matters

70. The proposed access falls within the 60mph zone on Kirk Hill Road and a visibility splay of 4.5m x 215m would be required, which, is not considered to be achievable. The Head of Technical Services has advised that were the proposed development to gain approval the applicant would be required to fund the moving of the 30mph zone and a scheme of traffic calming, which the applicant has advised would be acceptable. The Head of Technical Services has advised that were the 30mph speed limit to be relocated to include the proposed access then speed surveys would need to be carried out in order to indicate traffic speeds at the point of the access which would then determine the visibility splay required. This need is based on the 30mph zone only being limited over a short distance of highway as the road passes through the village after which the limit reverts back to 60mph and the fear that traffic travels at excessive speeds along this stretch of highway. As the 30mph zone has not been relocated and no speed surveys have been carried out in connection with this, it is considered that the proposed new access would pose a significant risk to highway safety.
71. At the point of the proposed new access there is a bus stop on Kirk Hill Road which would require relocating were the scheme approved. It is advised by the Head of Technical Services that this could not be suitably located to the east of the access as it would adversely affect visibility in this direction at a point in the highway where traffic speeds could be high due to the rural road and the speed limit between Carlton and Redmarshall being 60mph. As such, the new bus stop would have to be located closer to the crossroads where there is another residential access and a bus stop on the opposing side of the highway. Although bus services through the village are relatively limited, it is considered that the relocated bus stop within the visibility splay for the access, could lead to conflicting movements of vehicles within the carriageway, including larger vehicles such as bus and farm vehicles presenting a significant risk to highway safety. The Head of Technical Services indicates that there have been two recent accidents within this locality which

supports concerns being raised in respect to introducing additional access on to Kirk Hill Road in this location.

72. The Head of Technical Services has advised that 3 parking spaces are required for a 3 bed property and 2 for a 2 bed property in this location, totalling 50 parking spaces for the scheme. 71. The proposal indicates 29 parking spaces which is a significant shortfall. In view of the proposed scheme relating to affordable housing it is considered that a reduction of parking space requirement may have been acceptable down to 2 spaces per unit. However, the site is in a rural location and not particularly well served by a bus service and overspill parking onto Kirk Hill Road would result in a significant risk to highway safety and as such a compromise in parking numbers is not considered to be appropriate.
73. Concern is raised over the vehicle manoeuvres within the site in particular spaces 8, 9, 10 and 17, and an Auto Track plan was requested from the Head of Technical services in order to provide evidence that vehicles can enter and leave the site in a forward gear without having to reverse over excessive lengths. No such plan has been received.

Impact on character and appearance of the surrounding area

74. Redmarshall is a village which is characterised by a wide mix of property types and sizes, although those properties which are immediately adjacent to the village boundary and the application site are in the main bungalows with a limited roof height. Based on the indicative layout plan and proposed number of dwellings, it is clear that the development would be two storeys, and would have an impact given that the neighbouring properties are primarily bungalows.
75. The proposed density of the site would be greater than that of the surrounding properties, and it is considered that the proposal would have an unacceptable detrimental impact on the character of the existing settlement and surrounding countryside in particular, as viewed from the east and in particular at night which would see a significant increase in visible lights from both the access road and additional housing above the existing limited situation. The proposal would therefore be contrary to saved Policies GP1, HO3 and HO11 of the Stockton on Tees Local Plan which require development to take account of the quality, character and sensitivity of existing landscapes. This consideration is partially supported by a recent appeal decision relating to the provision of a stable block on the land. The stable block was refused by the Local Authority and the Planning Inspector dismissed the appeal, considering that 'the siting of the large freestanding building within the rural landscape would be both an intrusion into the openness of the rural scene and harmful to the areas character'.
76. Objection has been received from residents of the village advising that were nearly 20% of the housing stock of the village to be affordable housing then the character would be significantly changed, turning the village into an average housing estate and leading to crime and anti social behaviour. It is considered that these are perceptions with little basis and as such are not considered further.
77. Objection has been made in respect to the devaluation of surrounding properties, however, this is not a material planning consideration.

Impact on privacy and amenity of surrounding properties

78. It is considered that the properties as laid out in appendix reference C of the submission individually achieve adequate spacing with the surrounding properties, however it is considered that the parking bays associated with units 11 - 16 and 19 - 21 and the cumulative impact of the built development would have an undue impact on the privacy and

amenity of the nearby properties, particularly as a result of their close proximity to one another.

Site Layout

79. The councils landscape officer has advised that there are a number of trees and hedges on the site which would require retention as a result of the sites location on the edge of the settlement although it is advised that the birch tree and apple tree within the site could be removed and replaced elsewhere as they are of limited amenity value. It is further advised that perimeter structure planting would be necessary.
80. Based on the indicative layout structure planting would be likely to suffer from repeated requests for removal due to the proximity to the dwellings and the impact of overshadowing and damage to foundations. It is considered that adequate structure planting, garden areas and spacing from the structure planting would not be achievable within a development of 21 no. units on the site.
81. Policy H011 of the Stockton on Tees Local Plan requires residential developments to incorporate open space for both formal and informal use. Redmarshall is a settlement without any formal open or play space and no apparent ability for any to be provided within the existing framework. As such, there could be no contribution made from a scheme of this nature in lieu of on site provision and it would therefore be necessary for any scheme to provide adequate provision on site. There is no indication of open space on site whilst it is considered that the proposed level of development would prevent any such space being provided contrary to Policy HO11.
82. In order to achieve adequate visibility splays for the access a section of hedgerow would be required to be removed. The Council's Landscape architect is opposed to this loss of hedgerow which forms an integral part of the character of the rural roadside whilst the hedgerow appears to be in good condition. Furthermore, the hedgerow in question lies outside of the applicants control and as such there is no clear ability for this removal to be achieved.

Impact on ecology

83. The site is formed by a relatively level field with no ponds or trees within it which are of any significance. As such, it is considered that the scheme would have limited if any impact on protected species.

Other Matters

84. Objection has been raised from residents that the scheme will have a detrimental impact on sewerage and water pressure for existing properties. However, Northumbrian Water have raised no objection to the scheme and as such it is considered that these provisions could be adequately provided. Objection is also raised in respect to flooding of the adjoining properties and the creation of sitting water, however, as the site is relatively level, at a high point in respect to adjoining land and there are no water courses immediately adjacent it is considered that flooding would not be a specific issue, particularly if ground surface materials were to be controlled.
85. Comment has been raised by an objector that it is only a few months since the applicant wanted a horse breeding business on the site. Any change in desires from the applicant in this regard is not a material planning consideration.

CONCLUSION

86. The argument for this proposal for an affordable housing scheme is not considered to be well made. It is not considered to be justified as an exception to rural restraint policy, as Redmarshall village lacks services and is therefore inherently unsustainable. The aim of this application to provide a level of affordable housing is not reflected by any evidenced study as being needed by the village or immediately surrounding settlements.
87. The feasibility layout indicates two storey properties which are considered inappropriate for the edge of settlement location as a result of the sites prominence from the east and the height of surrounding properties which would be detrimental to the character and appearance of the area. There is a significant shortfall in the number of parking spaces provided and this would be contrary to the interest of highway safety. There would be insufficient on site open amenity space. It is also considered that the indicative layout has a density too great to be in keeping with its immediate surroundings and would therefore be unacceptable. In view of all these matters it is considered that the proposed development is not only unacceptable in principle, but, constitutes an over development of the site as 21 units of accommodation could not be achieved whilst providing for the needs for future occupiers and respecting its sites constraints.
88. It is considered that the proposed new access would be detrimental to highway safety whether or not a scheme was implemented to move the bus stop and speed limit due to the number of converging highway entities within the immediate vicinity of the access.
89. In view of all of the above it is considered that the proposed development would be contrary to the guidance of PPS 1 Delivering Sustainable development, PPS3 Housing and PPS 7 Sustainable Development in Rural Areas and of Policies GP1, H03, H011 of the Stockton on Tees Local Plan as well as the guidance

Corporate Director of Development and Neighbourhood Services

Contact Officer Mr Andrew Glossop

Telephone No 01642 527796

Email address: development.control@stockton.gov.uk

Financial Implications

As report

Environmental Implications

As Report

Legal Implications

As report

Community Safety Implications

As report

HUMAN RIGHTS IMPLICATIONS

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Background Papers

Adopted Stockton on Tees Local Plan (June 1997)

Planning Policy Statement Delivering sustainable development'

Planning Policy Statement Note 3 'Housing'

Planning Policy Statement Note 7 'Sustainable development in rural areas'

Planning Policy Guidance Note 13: Transport

Communities and Local Government: Delivering Affordable Housing
Stockton on Tees Local Housing Assessment

WARD AND WARD COUNCILLORS

Ward	Western Parishes
Ward Councillor	Councillor F. G. Salt