

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 22nd MAY 2008

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

08/0298/OUT

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

Revised outline application for affordable housing scheme of 10 no. residential units.

Expiry Date: 23rd May 2008

SUMMARY

Outline planning permission is sought for 10 affordable dwellings on a site immediately adjoining the existing settlement of Redmarshall and outside of the defined limits to development. The application seeks approval for the details of the access only and has indicated that details of the appearance, layout, scale and landscaping would all be reserved matters. However the application is supported by an indicative site layout. Access to the development is indicated as being taken off Kirk Hill Road to the north edge of the site.

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 move the 30mph limit for the village.

Neighbours were notified about the application and a total of 26 letters of objection and 1 letter of support were received. The Main objections relate to the impact of the scheme on highway safety, adjoining properties, the character of the village and there being no requirement for affordable housing within Redmarshall. The letter of support mainly relates to the need and benefits that such a scheme would bring to the local communities.

The Head of Technical Services objects to the application on highway safety grounds, on the basis that there is insufficient visibility and insufficient information to justify a reduction in the visibility required or that a traffic calming scheme and change to the position of the 30mph zone would not in isolation adequately address the potential detriment to highway safety. 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.

Redmarshall is considered to have insufficient services and is a car dependent location and therefore is inherently unsustainable. The aim of this development to provide a level of affordable housing that 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 scale of surrounding properties, being at a prominent position in the landscape. It is further considered that there is adequate land to adequately provide for parking, amenity space and structural landscaping.

In view of all of the above it is considered that the proposed development would be contrary to Policies GP1, H03, H011, and 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. There is 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, 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 based on the existing highway layout 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. Furthermore, there is insufficient justification to clearly demonstrate that the required visibility splay could be reduced and the proposed highway scheme could be implemented without increasing risk to highway safety.**
- 05. In the opinion of the Local Planning Authority, the indicative 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.**

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.

8. 07/2684/OUT – Outline application for 21 affordable homes.
Refused on the 13th December 2007 for the following reasons:

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.

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.

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.

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.

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.

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.

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.

PROPOSAL

9. This outline application proposes 10 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
10. The application seeks approval of the details for access only and has indicated that the details of appearance, layout, scale and landscaping would all be reserved matters. An indicative site layout has been provided as well as a maximum height of development being set at 9m. It is stressed however, that the layout is intended as being a reserved matter.
11. The applicant has indicated that the current use of the land is unused agricultural land but has been used for equestrian purposes for the last 35 years.
12. 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.
13. The application has been supported by numerous documents including
 - a draft Section 106 agreement relating to the provision of affordable housing in perpetuity,

- Letters of support and no objection submitted to the LPA in respect to the previous application 07/2684/OUT.
- House Price information (page 15 and 16 of the Stockton Housing Strategy)
- Letters from the Councils Housing Strategy and Development Manager
- Letter from Hambleton DC relating to the housing register for Stokesley
- Web page from Shelter Housing
- Web page from SBC Housing
- Email to applicant from Sedgefield BC Planning
- Bus service information
- Design Statement
- Extracts from Government Circulars
- General supporting information
- Highways scheme
- Previous appeal decision, letter from nearby school

CONSULTATIONS

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

Redmarshall Parish Council

Summarised:

14. Totally oppose to the proposal. There is an outstanding appeal decision for the provision of 21 dwellings at the site and it is believed that the applicant is simply after any form of development on the site so that it can be defined as brownfield development.
15. The application does not meet any planning guidelines, or the 6 key principles of PPS 7 in that there are no facilities in the village so everyone has to travel for all daily needs, the site will reduce the open space between Redmarshall and Carlton, the development is likely to increase car journeys significantly, the development is in the open countryside outside the defined village whilst is a greenfield site whilst the proposal is not sensitive to the local area.
16. In additions, the site would be in a prominent position, would dominate the adjoining bungalows, the development would be Contrary to Policy EN13 and would not contribute to the rural economy, would be contrary to Policy EN14 as it would detract from the open nature of the landscape between 2 villages.
17. The traffic associated with the development will be accessing a main road with adjacent bus stops and a busy junction only 70 metres away.
18. A letter was attached to this correspondence from the Councils Transport Officer which advised of the limited nature and marginal viability of the No.7 Bus service which operates around the villages.

Carlton Parish Council

19. Carlton Parish Council objects to the proposal because it is outside the current limits to development. It believes the development is of an inappropriate scale for its site and location and because of this it would be unsustainable. It has strong concerns about access to the site and believes that changes to the speed limit might lead to further development pressure in the area.

Urban Design Engineers

20. Further to comments previously submitted I confirm that it is not possible to provide a bus lay-by of suitable dimensions at the location demonstrated on drawing number 07 T372-02

amended. It may be possible to relocate a bus lay-by of appropriate size to the east of the access however it may further affect the sight line and this is also not desirable as it increases the distance that pedestrians would have to walk to and from the village to the bus stop. It is also generally preferable depending on site constraints to have a bus stop or lay-by to the left of a junction so that visibility to the right is not affected. Relocating the bus stop would therefore need to be carefully considered to ensure that the sight line to the right from Drivers Lane is not affected by the bus stop. Moving the bus stop closer to the crossroads does provide more conflicting vehicle manoeuvres, however speed surveys may overcome some concerns as they may indicate that drivers are reacting to the existing highway constraints.

21. The indicative layout suggests that there is adequate available space for car parking and manoeuvring around the site.
22. The suggested gateway traffic calming is a welcome feature; however in isolation it does not overcome visibility concerns or facilitate the extension of the 30MPH speed limit.
23. The topographical survey does not show a cross-section profile and hence is insufficient to provide a full assessment. I do however feel that the proposed access is likely to be an improvement on the location of the existing access to the Stables. Provision of speed surveys in order to demonstrate an appropriate visibility requirement can be considered in order to reduce the previously requested 2.4m x 215m sight line that is necessary to the east of the access as the speed limit is 60MPH. If the appropriate sight line on Kirk Hill can be achieved then, access to The Stables from the minor road is acceptable.
24. It should be noted that a serious accident occurred in September 2007 directly adjacent to The Stables, the supporting information is therefore inaccurate where it refers to no accidents.
25. Consultation has been undertaken with regard to additional street lighting with objections received. As a result the Council's Highway Network Manager has determined that no extension to the street lighting should be undertaken at this time and hence the limit of the 30MPH speed restrictions should remain unchanged.

Urban Design Landscape

26. The access junction is not an issue per se on landscape grounds. An existing short section of hedge on the main road could be lost and replaced with a substantial hedge of native material including hedgerow trees. This should be seen to link into further planting within the site to address the visual effects of the built development encroaching into an area of open field and hedgerow. This would need to be substantial and would reduce the area of limited amenity open space. Existing hedge and tree planting should be fully protected and improved
27. Previous comments including that the development is outside of the development limits still apply.

Northern Gas Networks

28. No Objections

NEDL

29. General standard comments

Northumbrian Water Limited

30. No Objections

Spatial Plans Manager

Summarised:

31. The site is considered as a rural exception site. Guidance in PPS3 states that small sites may be used specifically for affordable housing in small rural communities that would not normally be used for housing. PPS 3 requires the delivery of rural affordable housing to be informed by evidence with clear targets and it is not considered that this proposal is consistent with the rural exception site framework.
32. The Stockton on Tees Local Housing Assessment shows a need for the rural area as a whole of 14 units. There are 2 key considerations relating to this proposal which are, is there a need and how does the site perform in terms of its proximity to services.
33. The Councils Audit of the villages of November 2007 shows that Redmarshall lacks a shop, school, a post office, a village hall, an equipped play area and employment opportunities. All of these facilities are available in Stillington at the time of the audit and clearly Redmarshall is not the optimum site for a rural exception scheme from the perspective of location to services.
34. The applicant has not submitted any evidence to show that a Redmarshall specific local housing needs has been undertaken. In order to support the application a local housing needs survey would need to demonstrate a genuine and proven need that is proportionate to the proposed scale of development.

Legal Department

35. Have made comment on the draft section 106 Agreement advising changes are required.

Head of Housing

36. Further to the above application, the Housing Service would advise as follows:
In Jan 2006, SBC commissioned Outside to carry out a study (Local Housing Assessment) of housing requirements across all tenures and client groups within the Borough (the findings of which were published in Dec 2006). The overall purpose of the Local Housing Assessment is to provide a better understanding of the local housing market, key drivers of local housing demand and supply and the level of housing need within the area. The Local Housing Assessment used a mixed methodology of key data sources and survey information (data sources includes population/housing and earning information etc).
The study identified:
 - An overall shortfall borough wide of affordable housing as 40 units per year (projected to 200 units over a five year period),
 - In terms of sub-area a 10unit shortfall of affordable housing was identified (over the 5years) in 'rural villages'.

No comment has been received from
Countryside and Green Space Sarah Edwards
Councillors

PUBLICITY

37. The proposal has been publicised by means of site notice, press notice and individual letters to neighbours. A total of 26 letters of objection and 1 letter of support were received.
38. Letters of objection have been received from the occupants from the following addresses.

2 Mainside
3, 6, 8 Derwent Close
2, 7, 10 Rydal Way
2, 5, 8, 10 Windermere Avenue

2, 3, 4 Coniston Crescent
28 Green Leas
1, 5, 7, 927 Drovers Lane
Barford Cottage, Drovers Lane

39. 1 letter of support has been received from the occupants from the following addresses.
11 Tunstall Road, Hartburn

Comments of support are summarised as follows;

- The Council need to approve development for affordable houses within the rural areas. Living in the outlying villages is impossible for many people due to the cost of housing. The proposed development would neither detract from the appearance of the village, would not add a particularly large amount of traffic onto the local roads whilst is within walking distance of all local amenities (shop, post office, pub, places of worship) and is only a short distance from local schools.

Comments of objection are summarised as follows;

40. Highway Matters

- There have been numerous accidents on Drovers Lane and increased traffic in this area will worsen the current situation making more accidents likely,
- The development would compromise traffic flows and movements around the village due to poor visibility for through traffic and residents wishing to leave the site due to the site being at the brow of a hill approaching a dangerous busy junction with 2 bus stops sited nearby.
- The cross roads and surrounding highways are used by heavy goods vehicles accessing Darchem's at Stillington and nearby quarries,
- Crowds of children stand at the cross roads waiting for the school bus who would be put at risk.
- Additional traffic flows will be a hazard, particularly as people will have to leave the village for school, playing fields, village hall, work, shopping, recreation and social activities.
- Comments within the design statement are not accepted. There are steady flows of HGV's through the village and the new access will lead to bottle necks at the cross roads.
- The proposed access point fails to take into account changes in ground levels, resulting in a significant engineering operation.
- Repositioning the bus stop further to the west will surely increase the chance of further accidents particularly as it is commonly accepted that traffic approaches the proposed access point at 50mph.
- The proposed road safety scheme would not contribute to road safety but compromise traffic flows
- Roads around Redmarshall are too narrow with no footpaths on either side which makes it dangerous for pedestrians.
- Lack of parking will result in an overflow of traffic onto surrounding highway causing further danger to pedestrians

41. Character and appearance matters

- No need for this style of housing in the village,
- Would have an urbanising impact on the village,
- Is visible from all aspects and will result in a reduction in the openness between the villages which will reduce the individual identity of the villages
- The proposal would set a precedent for the village to turn into another Stillington,
- The proposal would increase the size of the village by 10% having an irreversible impact.

42. Privacy and amenity
- The proposed houses would tower over the adjacent bungalows ruining views of open countryside.
 - The proposed open space would result in a detrimental impact for the adjoining residents due to noise and general activity on the area as well as an invasion of their privacy.
 - The proximity of the proposed footpath and road would surely affect the privacy and amenity of any future owners of the new dwelling adjacent to the access.
 - The use of the amenity space / site would be directly outside bedroom windows of nearby properties.
43. Other matters
- There is no need for affordable housing in Redmarshall
 - Unsustainable development on greenfield land outside the defined limits of development,
 - There is a large development of affordable properties going on at Stillington
 - Detrimental impact on house prices
 - Significant opportunities for brownfield site development in surrounding area
 - Does not relate to diversification of rural area
 - Redmarshall is a village with no facilities to inclusively support the development
 - There is no need for an extra area for children to play as there is already a village green within the village.
 - There is nothing to do in the village for children whilst the bus service only runs every hour resulting in children having to be taken everywhere by car which would add to the carbon footprint of the village.
 - There will be problems with drainage and other services which are at capacity
 - The development would result in anti social behaviour and crime
 - This type of application could be applied anywhere in terms of greenfield land outside the defined limits of development.
 - The proposal is contrary to Local Plan Policies GP1, HO3, HO5, H011, EN12 and PPS 3 and PPS7.
 - There are 700 affordable homes being provided less than 3 miles away and there is no need demonstrated for affordable housing in this location.
 - Approval of the development would set an undesirable precedent.
 - The LHNA indicator for 10 affordable homes being required relates to the rural area of Stockton which is spread over 14 settlements.
 - The proposed development will impact on trees and wildlife,
 - The plans show the residential curtilage and agricultural land incorrectly whilst indicate existing garden area on land which is not.
 - The proposal will allow the existing access serving the bungalow to be removed and used as additional curtilage
 - The proposal seeks to retain ownership of open space within the site to the applicant which may allow more houses to be built.
 - The proposal to move North Tees Hospital will free up brownfield land for more affordable housing
 - Further executive housing should be built at Wynyard where there is the appropriate infrastructure
 - There are already rental properties sitting empty in the village
 - The proposal does not relate to farming, forestry, tourism, sport or recreation or the diversification of the rural economy

PLANNING POLICY

44. 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.

45. 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

46. Redmarshall village is one of several small villages located within the north eastern area of the Borough, surrounded by the open countryside and linked to the major settlements by way of the road network.
47. The 0.6ha application site 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.
48. The site is located at a height approximately 1.2m above the level of the adjacent highway to the north.

MATERIAL PLANNING CONSIDERATIONS

49. 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 other material planning considerations are considered in detail below;

Principle of the development

50. 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 requires 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.
51. 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.

52. 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.
53. The Stockton on Tees Local Housing Assessment indicates a need for 10no. affordable housing units within rural areas of the 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, were the need for affordable housing at Redmarshall accepted in principle, with robust and sound evidence to support the demand, it is considered that this location would not be suitable for providing provision for surrounding settlements in view of its inherent lack of provisions which would allow sustainable living to be achieved.
54. 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. The applicant has cited development sites in the nearby villages of Whitton and Carlton suggesting that if these were acceptable on grounds of sustainability then Redmarshall should be also. However, these previous approvals for development pre date the Local Planning Authorities stance on some of the villages being unsustainable locations for new housing development, and the shift in government's policy.
55. The lack of sustainability 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. The applicant considers the group of villages and their proximity to Stockton, Darlington and Sedgfield result in Redmarshall being sustainable; however, the Head of Planning disagrees with this view.
56. 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.
57. 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. There are other settlements within the northern areas which have greenfield land beyond the defined limits of development, similar to this proposal, and as such may be reasonably available for affordable housing were it deemed necessary within these villages.
58. The applicant advises there is a general desire and demand for housing within Redmarshall and the surrounding villages and has submitted numerous extracts of documents about the

provision of affordable housing. This information fails to address the basic function and reason for rural exception sites which is to meet a specific need, whilst a number of the extracts relate to either sites of different circumstances, or are general guidance which has to be considered against the site specific issues of the application site. This proposal relates to a small village within close proximity to the urban area of Stockton and not a village many miles from an urban centre and as such, appropriateness, need and function will be very different from authority to authority and village to village and interpretation of national guidance needs to take the varying circumstances into account.

Delivery of affordable housing

59. 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, although suggested amendments have been forwarded to the applicant and it is anticipated that an amended draft will be submitted for further consideration.
60. 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

61. 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.
62. 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. The applicant has detailed a scheme which amends the highway layout adjacent to the site. The proposed scheme indicates the moving of the bus stop to the west of the proposed new access, the closure of the existing access serving the property known as 'The Stables' a scheme of traffic calming and visibility splays. The Head of Technical Services has advised that the proposed bus stop, which is set in from the highway within a lay by could not achieve the appropriate dimensions for such within the space available and as such is not achievable. Were the bus stop moved to this location it would therefore have to remain within the carriageway of the highway. Concern is raised that there are two bus stops on opposing sides of the highway within close proximity to one another, both being within close proximity to a cross roads used by slow moving vehicles with a proposed new access being introduced. Whilst this concern exists, it is considered that such a scheme could only be considered fully in terms of its risk to highway safety based on a speed survey of the highway. 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 and the moving of the bus stop. Without speed survey

information, in view of these matters it is considered inappropriate to agree to such a scheme.

63. The Head of Technical Services has advised that there is adequate space within the site to achieve adequate parking and manoeuvring for vehicles for the proposed scheme of 10 units being able to prevent the likelihood of parking on the adjacent highway network.

Impact on character and appearance of the surrounding area

64. 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 maximum height of the development being indicated as 9m it is clear that the development would have an unacceptable detrimental impact on the character and appearance of the village, particularly 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'.
65. Objection has been received from residents of the village advising that were nearly 10% 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.
66. 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

67. Although objection has been received in respect to the impact of residential properties and associated amenity space, it is considered that 10no. Properties could be laid out within the site at positions and orientations which would not unduly compromise privacy or amenity of surrounding dwellings as a result of the size of the site and the number of properties being proposed.

Site Layout

68. 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 access could be removed and replaced elsewhere as they are of limited amenity value. It is further advised that perimeter structure planting would be necessary as would replacement hedgerow works at the entrance to the site.
69. The indicative layout leaves little or no space for structural planting to the periphery of the site, however, this is indicative and the site is considered to be of an adequate size to

provide for 10no. Houses whilst achieve sufficient parking, amenity space, distance from surrounding properties and space for landscaping.

70. 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. The indicative site layout demonstrates an adequate level of amenity space could be provided on site, in accordance with the requirements of Policy HO11 of the Stockton on Tees Local Plan.

Impact on ecology

71. 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

72. 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 has raised no objection to the scheme and as such it is considered that these provisions could be adequately provided.
73. Comment has been raised by objectors relating to the numbers of applications submitted on the site for different forms of development; however, these are not issues which need to be considered as part of this recommendation which needs

CONCLUSION

74. The case 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.
75. The submitted details give a maximum height for properties as 9m which is considered inappropriate for the edge of settlement location as a result of the sites prominence from the east and the height of surrounding properties, thereby being detrimental to the character and appearance of the area. Although the indicative layout is not considered to be appropriate for the site, it is considered that there is adequate space on site to achieve 10no. Dwellings, adequate parking and manoeuvring, both internal and structural landscaping and amenity space. Furthermore, it is considered that adequate spacing could be achieved from the dwellings to the nearby properties adjoining the site.
76. It is considered that the proposed new access would be detrimental to highway safety and without any clearly demonstrated information in the form of a speed survey being undertaken to justify a reduction in visibility splays and the proposed changes to the design and layout of the highway, to indicate otherwise.
77. 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, and H011 of the Stockton on Tees Local Plan as well as National guidance

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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