

- a) 500 dwellings is considered to be too intensive
- b) This is not a sustainable location – there is insufficient public transport with just *one* bus per hour – not the six per hour which is claimed. It is recommended that the Highway's Agency be advised of this as they have commented in their letter of 14.1.08, that bus frequency is "good, with 6 buses per hour" which is totally wrong. The Developers would need to provide subsidised bus services which would need to continue for several years.
- c) The proposed dwellings on the western area of the site would be too far from Durham Lane to make this area feasible for dwellings. These dwellings would be even more remote from schools, shops etc.
- d) It should be noted that the public right of way shown on the plan is incorrect – this should be on the side of Carter Moor Farm, not this Council's recreation ground.
- e) Given this Council's local knowledge, this development would certainly have an impact on Durham Lane traffic which is frequently prone to tailbacks at peak times all the way into Yarm or the other side of Eaglescliffe on the A135.
- f) The proposed roundabout for the industrial part is considered a good idea.
- g) The proposed public open space does not appear to be adequate for a development of this size.
- h) It is felt that this indicative plan is extremely vague and this Council would prefer to see more detail included.
- i) It is doubtful whether doctors or dentists would wish to open facilities at this location given that the current trend is for larger, more comprehensive health centres providing more varied services.

69. Tees Valley Joint Strategy Unit

I have considered the application in relation to the emerging Regional Spatial Strategy for the North East, 'saved' policies in the Tees Valley Structure Plan, and other relevant sub-regional strategies and programmes.

Existing Regional Planning Guidance for the North East (RPG1) became the statutory Regional Spatial Strategy (RSS) in September 2004. It will be replaced when the revised RSS is adopted by the Secretary of State. RPG1 sets out a number of principles relevant to consideration of this application:

- Direct the majority of new development to the built up areas of the Tyne, Wear, and Tees conurbations
- Give priority to the re-use of previously-developed land and buildings, and ensuring that land is only allocated for development to meet identified and justified needs
- Recognise the role of new housing provision in the regeneration of the region
- Ensure that the provision of new housing does not result in, or exacerbate, problems of low demand and abandonment

The revised RSS (on which the Secretary of State has recently consulted on Further Proposed Changes) sets out a locational strategy for the Tees Valley City Region that seeks to:

- Give priority to the regeneration of the Stockton-Middlesbrough Initiative, and the River Tees corridor between Stockton, Middlesbrough and Redcar
- Develop housing that supports economic growth strategies in sustainable locations, mainly on previously developed land in areas where it does not undermine existing housing markets, particularly housing market restructuring areas
- Support housing market renewal programmes

Saved policy STRAT1 in the adopted Tees Valley Structure Plan seeks to locate the majority of future development within urban areas, with preference given to previously developed sites, particularly along the River Tees corridor or public transport corridors on the edge of the Teesside conurbation.

The Tees Valley local authorities, along with Tees Valley Living and Tees Valley Regeneration, have recently submitted a case for Growth Point status to central Government. While a decision on this is still awaited, Allens West has been identified in the Growth Point bid as a potential housing site.

The proposed development accords with a number of national, regional and sub-regional guidelines and policies on planning and sustainable development, particularly concerning the use of previously developed land and the creation of mixed-use developments which can also help reduce the need to travel. The application site is within the limits to development as defined in the adopted Tees Valley Structure Plan, and is situated on the edge of the Teesside conurbation. There is potential for the site to be well served by public transport, particularly the proposed Metro system along the existing rail line at Allens West.

The Borough Council should be satisfied that the housing element of the proposal will contribute positively to the housing market in Stockton and the wider Tees Valley, and in particular that it will not have an adverse effect on regeneration proposals elsewhere or the ability to create sustainable residential communities on sites where development is already underway.

It is noted that the application site does present a number of nature conservation issues, particularly the presence of a protected species that will need to be resolved. The Borough Council should be satisfied that the proposed development will not cause a significant loss of biodiversity and that suitable mitigation or compensatory measures can be put in place.

70. Councillor John Fletcher

Describes the current public transport provision along Durham Lane and notes that the more westerly part of the application site would be nearly 1 kilometre from the bus stops on Durham Lane and Allen's West Station and even further from the nearest shops and schools. Without a bus service into the application site this would not be sustainable. One possible solution on current bus timetables is to open to pedestrians the gate into the application site at its west end, next to Urray Nook Crossing.

The application site is in the catchment area of Egglecliffe School, which is full to capacity. No doubt SBC Education will negotiate the sums to be paid by the developer if the development results in the need for more school places than exist.

I have not seen the detail of the traffic assessments. Durham Lane North of the application site is sinuous and SBC engineers over the years have spent a lot of time trying to make it safer. In the other direction, at busy times, traffic jams tail back from Yarm almost to Allen's West Crossing. No one has found a solution to this. The delays occasioned by Yarm town centre are exacerbated by the need for vehicular traffic between the west and east sides of Egglecliffe to go via the A67/A135 junction close to Yarm Bridge.

There is a suggestion that the developer would provide a park and ride facility for Allen's West Station. I would regard this as planning gain, as there is no parking at this station at present.

The arguments for having a retail shop on the application site appear to run contrary to any argument that shops are sufficiently close to cut down on car use.

The suggestion for a GP branch surgery needs to be checked out with the PCT.

A diversion of the public right of way would involve the parish Council and its lessees.

Is it possible to obtain any cast-iron guarantees about Carter Moor Farmhouse?

Further comments received 8 July 2008 - While I have no particular objection to the proposed changes at the *Tesco* roundabout, I do not think that they will remove entirely the exacerbation of peak-time traffic problems which must inevitably flow from more commercial traffic to & from *Urray Nook* &/or the mixed traffic to & from *Allen's W*. In my experience, tailbacks from this roundabout along the NW & N limbs occur because the tailback from the *Cleveland Bay* junction extends back across this roundabout. That tailback in turn is caused by the slow progress of traffic along *Yarm High Street* & the fact that the left-turn lane at the *Cleveland Bay* is not long enough to filter off more than a handful of vehicles at a time

71. Councillor Alan Lewis

My observations are the same as those of Councillor John Fletcher.

72. Sport England

Sport England has considered the application in the light of Sport England's Land Use Planning Policy Statement *Planning Policies for Sport* (a copy of which was sent to your Council in the autumn of 1999). The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation sets out in paragraph 23 that:

"Local Authorities should ensure that provision is made for local sports and recreation facilities (both either through an increase in number of facilities or through improvements through existing facilities) where planning permission is granted for new developments (especially housing). Planning applications should be used where appropriate to seek increased provision of open spaces and local sports and recreational facilities and the enhancement of existing facilities"

The need to address sport and recreation provision as identified in PPG17 is re-iterated in Sport England's Interim Policy Statement Document 2005 "Planning for Sport and Active Recreation: Objectives and Opportunities". Planning Policy Objective 8 states that:

"To promote the use of planning obligations as a way of securing the provision of new or enhanced places of sport and a contribution towards their future maintenance to meet the needs arising from new development"

In an e-mail to Sport England dated 17th June, the applicant by way of Heads of Terms to an S.106 Agreement, has committed to a planning contribution to off-site sport and recreational facilities to the value of £300,000.

This is lower than the figure suggested in my letter of objection dated 1st April 2008. However in light of work with the Council on potential targets for investment, and the fact that this planning contribution is to be offered in full at the commencement, I am satisfied that the applicants planning contribution will meet the sport and recreational needs that arise from their development.

In light of the above I can confirm that Sport England wishes to withdraw its objection to this application, subject to the final signed version reflecting para. 17 of the Heads of Terms.

I would be grateful if you would advise me of the outcome of the application by sending me a copy of the decision notice, and the final signed version of the Section 106 Agreement. If you would like any further information or advice please contact me at the address overleaf.

The comments and issues raised in this letter are made without prejudice to any subsequent Lottery application.

73. Local residents and occupiers have been individually notified of the application. The application has also been advertised on site and in the local press. A number of representations have been received from the following addresses:

Objection

5, 7, 11, 14 Grainger Close
5, 8, 22, 35, 45 Royal George Drive
1, 3, 5, 17, 18, 41, 43, 46, 47, 50, 51, 55 Chaldron Way
71 Emsworth Drive
24, 5 Thornfield Close
12 Pease Court
11, 12, 17 Talisman Close
43 Greenfield Drive
5 Newbiggin Close
15, 17 Trevithick Close
6 Locomotion Court
8, 12 Whitfield Close
42 Meadowfield Drive
The Orchard, Windlestone, Urray Nook Road
3 Meadow End
30 Coatham Vale
1 Durham Lane
35 Emsworth Drive
6 Carriage Walk
77 Leonard Ropner Drive
23 Debruse Avenue
80 Mayfield Crescent
3 The Green, Kirklevington
58 Grassholme Way
27 Black Diamond Way
18 Springfield Close

Comment

England & Lyle, Morton House, Darlington.
InBond Ltd, Durham Lane
2, 10 Locomotion Court
34 Chaldron Way
Tetley Tea Ltd, Durham Lane Industrial Estate

74. The representations include 53 letters/emails objecting to the proposal and 1 letter in general support and 5 letters/emails offering general comments. The objections and comments received can be summarised as follows:

Objection Issues

Highways

- Increased traffic congestion caused by an increase in number of cars in and out of Yarm on an already very busy and grid locked road at peak times. The current local road system cannot withstand any increase in traffic.
- Increased air pollution created from fumes of additional traffic,
- The assessments only relate to the volume of traffic through the A66 junctions and not the traffic on Durham Lane to Yarm route.
- The current application south of Elementis Chromium could also cause increased traffic congestion on Durham Lane.
- The proposed warehousing on the development would increase HGV traffic.
- The conclusion of the traffic survey quoted from the developer states the impact on Durham Lane would be minimal, this is extremely optimistic. Durham Lane is a single carriageway country lane and at peak times the queues are up to 100 cars long at the roundabout at the end.
- Increased number of road accidents caused by additional traffic.
- There is only one access in and out of the proposed development on the plans, which is insufficient. This will mix the HGV and domestic traffic.
- Construction and service vehicles will also cause an increase in traffic.
- Durham Lane is unsafe for pedestrians, especially children, to cross at peak times.
- There are no suggestions to increase public transport to and from the development within the plans.

Character & Appearance

- The scale of the development is too large for the site and would be visually detrimental to the landscape of the area.
- The area is already over developed and inappropriate for this proposal.
- The development would make the area an undesirable place to live.
- Loss of open space and mature trees. The trees on this site screen the industry and pylons and are a habitat to birds and other wildlife as well as increasing the visual amenity of the area. Some of the Tree Preservation Order trees are not shown on the plans and are going to be cut down and built on.
- The proposal will change the character of Eaglescliffe/Yarm and is not in keeping with the area.
- The proposal is over development on the site and will make the area in to another large housing estate. Yarm is a small village surrounded by the river with no room for expansion.
- The development will have an extremely detrimental impact on the High Street in Yarm.
- This land surrounding Yarm and Eaglescliffe should be preserved and maintained. There is a preserved nature reserve in the area, which will be damaged or lost due to this development.
- The area is primarily residential and the industrial use proposed would be inappropriate and cause discontent.

Impact on Neighbours

- A height of 12-15 m next to the main road is too high and would have an impact on the privacy of the residents at Kingsmead.
- Increased noise pollution and disturbance from additional traffic and the Tetley Tea factory on Durham Lane Industrial Estate.
- Increased light pollution from the development.
- The land is contaminated with radioactive waste from the occupation of the Ministry of Defence and this could be disturbed from the development. There does not appear to be any works carried out to quantify the extent of radioactive contamination. This could cause a serious health risk to all local residents.
- Noise and disruption caused by the building of this site.

Other Matters

- The development will cause an increase in crime and anti social behaviour in the area.
- Increased demand on public services, for example police, fire and healthcare provisions from the new development.
- Increased environmental impacts, for example increased use of landfill sites created by additional waste from development.
- Devaluation of the value of neighbouring properties.
- There is presently a high security caravan storage facility on this site, which is not included on the plans. The concern is where these caravans will be stored.
- There are already shops in the local area. The increase in shops will have a major affect on the shops at Orchard Estate, which could lead to closure and dereliction.
- There appears to be no consideration for the extra demand on schools in the area. The local primary schools are at full capacity and children already travel from Ingleby Barwick to Eaglescliffe and Conyers Secondary Schools. It is also planned to relocate Eaglescliffe School to the Allens West site with a reduction of 150 places. There is also currently a shortage of nursery care in the area.
- The residents of wider Eaglescliffe should be consulted, as this new development will affect them.
- There is already warehousing provision at the airport and currently an application in for warehousing/industrial usage south of Elementis Chromium. There is enough warehouse space in the area.
- The introduction of another nursing home cannot be justified against the current government targets to reduce the number of elderly people admitted into long-term care.
- It is suggested in the development proposals that there is a shortfall in housing in Stockton, which is incorrect. There are empty, unsold houses in Ingleby Barwick and in close proximity, therefore adding more is not necessary and would create an overload.
- There are not enough housing facilities to accommodate for the residents. There are no community facilities included in this development, which could reduce anti social behaviour and crime incidents.
- This development is a profit-making scheme for the developer, which is not meeting a demand.
- The housing on the site cannot be realistically affordable, which is the case for many new housing developments in the area.
- There are great crested newts breeding ponds on the site and associated land is also used by amphibians after the breeding season.

Support

- The development has the potential to increase the diversity of uses, which would soften the existing character of unattractive industrial buildings on the site.

Comments

- The development will decrease unemployment in the area.
- A separate entrance for HGV's to industrial estate should be implemented to prevent traffic mixing and a second exit on to Uray Nook Road created from the development.
- Carter Moor Farmhouse should be restored as it is currently in disrepair.
- The two playing fields after the football field and the public footpath should be brought back in to use and maintained.
- Sheltered accommodation and housing association would be more suitable in this development.
- A cycle lane for Durham Lane should be implemented from Allens West into Yarm and also to Hartburn and Stockton.

- Power lines would be better put underground on the site if this were possible.
- Increased public transport, i.e. buses from the development.
- Implement a 30 mph speed limit before the playing fields and a pedestrian crossing on Durham Lane from development to Kingsmead to increase pedestrian safety.
- There doesn't appear to be sufficient employee and visitor car parking. The current external car park on the site is being developed and will be lost, which is presently used as a holding location for haulage vehicles.
- InBond Ltd has a long lease over No 9 shed and is concerned in regards to its demolition.
- InBond is unsure as to what areas will be available for customers outside storage requirements.
- Tetley Tea Ltd have set out their movements in terms of vehicular traffic and would like this to be taken in to consideration.

PLANNING POLICY

75. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan 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).

76. In respect of housing, the Tees Valley Structure Plan reflects national and regional guidance. The strategy adopted in the Tees Valley Structure Plan is one of sustainable urban growth with the majority of new development taking place on previously developed land within urban areas or along public transport corridors on the edge of the main built-up areas. The Structure Plan also supports the need for increased residential densities and the provision of affordable housing as appropriate.

77. Planning Policy Statement 1: Delivering Sustainable Communities lists design as one of the fundamental ways of delivering sustainable development and states that planning authorities should prepare robust policies on design and access. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its present defining characteristics.

78. Planning Policy Statement 3: Housing seeks to secure mixed communities with developments incorporating both affordable housing and appropriate levels of housing. Requires housing to be responsive to local need and designed to a constantly high standard responding to local distinctiveness and reflect wider environmental and sustainability considerations.

79. Planning Policy Guidance Note 4: Industrial, Commercial Development and Small Firms seeks to encourage continued economic development in a way which is compatible with its stated environmental objectives and gives guidance on a range of issues relating to industrial, commercial and small firms development.

80. Planning Policy Statement 6: Town Centres advises local authorities to plan positively for the growth and development of existing centres, by focusing development therein. In addition, PPS6 sets out a number of other material considerations, which may be taken into account in assessing new proposals including physical regeneration, employment, economic growth and social inclusion.

81. Planning Policy Guidance Note 13: Transport seeks to integrate planning and transport by reducing the reliance on the motor car, encouraging the use of more sustainable transport choices, reduce the need to travel, and promote accessibility to jobs, shopping, leisure facilities and services by public transport, cycling and walking.

82. Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation seeks to ensure that provision is made for local sports and recreation facilities (both either through an increase in number of facilities or through improvements through existing facilities) where planning permission is granted for new developments (especially housing).

83. Planning Policy Statement 23: Planning and Pollution Control advises on the role of the Local Planning Authority in terms of development and the quality of land, air and water.

84. Planning Policy Statement 25: Development and Flood Risk seeks to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

85. Regard also has to be given to Regional Spatial Strategy for the North East (RPG1) which sets out a number of principles for the location of new development, including, adopting a sequential approach to site allocation to give priority to the reuse of previously developed land; improving the balance between people, jobs and facilities to reduce the need to travel, and protecting and enhancing the environment.

86. Submission Draft Regional Spatial Strategy for the North East (RSS), which is at the consultation, stage and will ultimately replace RPG1. Policies in RSS1 provide a regional spatial strategy within which local authority development plans and local transport plans can be prepared. It sets out a number of policies and principles including: concentrating the majority of new development in the Tees Valley conurbation – particularly within the core areas- and the main settlements; reducing the need to travel, particularly by private car, by focussing development in urban areas that have good access to public transport, and for cyclists and pedestrians; promoting development that is sympathetic to its surroundings; identifying strategic gaps to maintain the separate identity of settlements in the Tees Valley by preventing them from coalescing and by preventing urban sprawl.

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 EN4

Development which is likely to have an adverse effect upon sites of nature conservation importance will only be permitted if: -

- (i) There is no alternative available site or practicable approach; and
- (ii) Any impact on the sites nature conservation value is kept to a minimum.

Where development is permitted the council will consider the use of conditions and/or planning obligations o provide appropriate compensatory measures.

Policy EN28

Development which if likely to detract from the setting of a listed building will not be permitted.

Policy EN38

Residential development or development which attracts significant numbers of people, particularly the less mobile, will be permitted in the vicinity of a hazardous installation only where there is no significant threat to the safety of the people involved.

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 HO8

Proposals for the development of Class C2 Uses (Residential Institutions) will normally be permitted provided that:

- (i.) The property is located within a mainly residential area within easy reach of public transport, shopping and other community facilities; and
- (ii.) the design of the development compliments its surroundings and can provide an attractive outlook with secure and sheltered sitting areas; and
- (iii.) the development will have no adverse effect upon neighbouring properties; and
- (iv.) adequate access and space for parking and servicing can be accommodated within the site without causing undue disturbance.

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 IN10

Planning permission will be granted for the use for other purposes of proposed or existing industrial land or buildings if it can be demonstrated:

- (i) Suitable other sites and buildings for businesses or industrial purposes are available both in the short-term and satisfy long term requirements over the planning period in the immediate locality and the wider area or;
- (ii) Existing use, applicable, of the premises for business or industrial purposes produces unacceptable traffic or environmental problems which would be significantly alleviated by the proposed use or;
- (iii) The premises are no longer capable of providing acceptable standards of accommodation for business or industrial purposes.

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 parking will normally be required to

accord with standards set out in the Stockton on Tees Borough Council Design Guide and Specification No. 1.

Policy S15

Planning permission will be granted for new development or limited extensions for small scale retail use outside the centres listed in Policy S1 provided that:

- (i) The proposal is within defined settlement limits;
- (ii) The facilities intended to serve local needs only, being of a scale appropriate to the locality and being within walking distance of residential areas;
- (iii) The proposal would not give rise to any adverse effect on the amenity of neighbouring properties on account of the area;
- (iv) The proposal would not adversely undermine the vitality and viability of any village shop or retail centre as listed in Policy S1.

Within major new residential and employment developments, where no similar facilities exist within reasonable walking distance, developers would be expected to provide an element of convenience retail development at a scale to be agreed by negotiation.

Supplementary Planning Document 3: Parking Provision for New Developments sets out the Council's standards for parking standards associated with new development.

Supplementary Planning Guidance 4 (SPG 4) is concerned with high-density development. The SPG develops the themes set out in it to ensure that flats are built in appropriate locations, are well designed, and add value to the housing stock of the Borough. The guide does not seek to put a blanket ban on flats being built, nor encourage an 'anything goes' policy, but gives guidance to developers about what the Council expects them to produce, as well as to inform the public how and why decisions are made.

MATERIAL PLANNING CONSIDERATIONS

87. The main considerations of this application relate to whether it satisfies the requirements of National and Regional Guidance and Local Plan Policies, the impact of the proposed development on the locality in terms of residential amenity, flood risk, ecology and nature conservation and vehicular access and traffic impact and highway safety.

National and Regional Guidance and Local Plan Policies

88. National Planning Policy guidance seeks to encourage the efficient re-use of previously developed land within existing urban areas in addition to reducing the need to travel and reinforcing the local economy and community.

89. Planning Policy Statement 3: Housing (PPS3), suggests that development should be at a density of at least 30 dwellings per hectare (dph) net in order to make the most efficient use of the available land. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings including affordable housing. The proposal to develop 500 dwellings falls within the middle of the density range of 30-50 dph and fully accords with national policy which encourages the reuse of previously developed land. Furthermore RSS further proposed changes policies 2, 3, 12 advocate the use of previously developed land. Policy 32 of the RSS further proposed changes, states that in Tees Valley, 70% of housing development should be located on previously developed land. Therefore it is considered that development proposal is consistent with the objectives of policies 2, 3, 12 and 31 of the RSS further proposed changes.

90. In accordance with regional planning policy, the majority of new development should be concentrated within the conurbations. Development in this location is therefore consistent with the regional locational strategy.

91. The site is located within the development limits. Policy HO3 of the local plan indicates that residential development within the limits of development is acceptable provided it meets a number of criteria.

92. The supporting statement states that a mix of housing types, styles and sizes will be provided, comprising of a range of flats, houses and sheltered accommodation. The proportion of affordable housing proposed as part of the development is at 15%. The proposed proportion of the affordable housing is consistent with the levels proposed in the council's adopted supplementary planning document 6 in relation to planning obligations, which requires that applications include a 15% affordable housing target.

93. The indicative layout has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed.

94. It is considered that residential development would be compatible with neighbouring uses and subject to careful layout and design in latter stages, would not have an undue adverse impact on the amenity of adjacent land uses. In this respect the development accords with Local Plan policies GP1 and HO3.

95. The applicant has investigated the likely noise impact of surrounding uses on the proposed residential development. The Environmental Health Manager has considered the proposal and raises no objection on this matter. It is considered that the proposal does not conflict with STLP policies GP1 and HO3 in this respect.

96. In terms of the provision of apartments SPG 4 sets out the Council's sequential criteria based approach to assessing an appropriate location for apartments. In terms of location the proposed development is within the limits to development, on previously developed land and within close proximity to a railway station/ bus services and nearby school and thus accords with the guidance and the general principles set out in the guidance.

97. In terms of the provision of a residential care home. Policy HO8 sets out criteria for the provision of special needs housing and seeks care homes within residential areas within easy reach of public transport, shopping and other community facilities. It is considered that the proposal accords with Policy HO8.

98. The development proposal includes an element of retail uses. The applicant seeks to construct a small-scale convenience store (250m²). In the context of PPS6, the retail units are classed as town centre uses, which is also reflected in regional planning policy (RPG1 policy TC1 and RSS further proposed changes policy 25. Whilst the site is not located within a town centre location, it is considered that due to the scale and the nature of the development, the development of a retail use is ancillary to the wider development proposal. It is therefore considered that the development of retail uses to complement the wider development proposals does not present an issue of conflict with national or regional planning policy.

99. Alteration No 1 of the Local Plan includes Policy S15, which is relevant to this site states "*Planning permission will be granted for new development for small scale retail use outside the Centres provided that the facility is intended to serve local needs only, being of a scale appropriate to the locality and being within walking distance of residential areas and the proposal would not adversely undermine the vitality and viability of any retail centre*". The proposal is considered to be small scale and ancillary to the main development will also serve the local needs of the community.

100. The application site is not specifically allocated for employment purposes; however it has been identified that as the site is an existing employment location the local Authority will seek to

retain the site as such. Policy IN10 permits the release of existing industrial land and buildings if it can be demonstrated that suitable other sites and buildings are available both in the short term and to satisfy the long term requirements over the plan period in the immediate locality and the wider area. Given the provision of suitable employment land available elsewhere in the Borough alongside the proposal provides for and upgrades a range of employment uses on an existing industrial estate, it is considered that support can be given for the use of part of this industrial site for residential development. This approach is consistent with the objectives of RPG1 policy EL3 and RSS further proposed changes 12. These policies advocate the renewal and modernising of existing employment areas.

101. The site is considered to be a sustainable brownfield site giving access to public transport infrastructure and the selection of a variety of house types and sizes and tenure should ensure a sustainable community is developed. The proposed scheme incorporates a number of sustainable features including a Sustainable Urban Drainage Scheme designed to control the amount of rainwater held by the site, which reduces the sites risk of flooding.

Flood risk, Ecology and Nature Conservation

102. A flood risk and drainage report accompanies the application. The site avoids a flood risk area and the report concludes that the site is at low risk of flooding from existing watercourses and there would be a net benefit in terms of the surface water discharge from the site. The Environment Agency has no objection to the proposal subject to appropriate controlling conditions.

103. An Ecological Review of the site has been carried out and confirms that the habitats within the site are "generally of restricted value due to past land use or current management regimes. However some features of nature conservation interests are present, including a number of fire ponds, plantation woodland and an area supporting the mosaic of habitats". There are two fully protected species on site, Great Crested Newts and Bats. Other species present include a Dingy Skipper and Sky lark. The report concludes that there are no adverse impacts which cannot be mitigated against and two new ecology areas have been identified and protected and managed for the future. It is intended that a range of mitigation measures including landscape planting and compensatory ponds should be put in place. Natural England has examined the proposal and advises that the proposal is unlikely to have an adverse effect on protected species subject to the imposition of conditions to provide the control sought by Natural England. In summary the conditions prohibit any development until a fully detailed mitigation strategy has been agreed; prohibit development until an appropriate management strategy including that for the adjoining Admiralty Ecology Park has been agreed; prohibit development until new habitat creation/enhancement areas are fully completed; ensure the new ecology areas are used solely for that purpose; prohibit development until a working methods statements is agreed to minimise risk of harm to bats; prohibit the pruning/removal of Lombardy Poplar Trees without approval.

Other Matters

104. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required which is acceptable to the Planning and Policy Officer in Education.

105. A commuted lump sum of £300,000 by way of contribution is to be provided towards improving facilities of adjoining sports fields and the provision of off site teen play facilities. The developer will provide an access from the new access road to the sports field. Should the adjoining sports field improvements not be achievable then the monies will be put towards alternative sports use within the vicinity of the site and this is acceptable to Sport England.

106. The archaeological report accompanying the application concluded that there was little evidence of any early activity on the site but has identified several areas of medieval ridge and

furrow and a World War II depot. It suggests that these remains are of local importance and should be recorded prior to development. Tees Archaeology agrees with this proposal and recommends that a full programme of archaeological works are made a condition of the planning consent.

107. In terms of the impact upon the Carter Moor Grade II Listed Building, a stand off zone has been created around the listed building and the building and land is specifically excluded from the submission boundary. The proposed improvements works will secure the long-term future of the listed building and therefore the proposal is considered to be acceptable and in accordance with Policy EN28.

108. The adopted Local plan identifies the Health and Safety Executive (HSE) consultation zone associated with the operations carried out at Elementis Chromium works. There will be no development within any of the zones around the Control of Major Accident Hazard Regulations (COMAH) site apart from a small area of employment land which falls within Zone 3. Under the regulations, this is an acceptable use in such a location and there are no objections from the HSE. It is considered that the proposal is acceptable and in accordance with Policy EN38.

109. An Energy Impact Assessment (EIA) accompanies the application and proposes development of residential dwellings to be Level 3 of the Code for Sustainable Homes. The applicant states that this proposal is achievable and fully accords with the requirements of PPS1: Planning and Climate Change. The accompanying EIA sets out a number of options to reduce energy consumption for both the construction phase and the operation of the development including a number of energy efficiency measures including maximising the solar gain and natural day lighting in homes; high standards of insulation; high efficiency boilers; the use of heat exchange technology and CFC free insulation materials. In order to fully reflect the objectives of regional planning policy, the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. It is proposed to secure this through a planning condition.

110. In terms of site contamination, a full ground investigation has been undertaken and submitted as part of the planning submission. Planning conditions can be attached to any permission granted requiring remediation works and to implement any engineering measures to facilitate development of the site based upon those findings. The Environment Agency and Environmental Health has no objection to the proposal subject to appropriate controlling conditions. Accordingly the proposal does not conflict with Planning Guidance in respect of contaminated land.

Means of Access, Parking and Traffic Issues

111. The application is accompanied by a Transport Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

112. The level and detailed parking arrangements will be considered at the reserved matters stage and it is considered that the site can satisfactorily accommodate the level of development proposed.

113. The Head of Technical Services has assessed the proposal and concludes the following: -

Trip Generation

114. The Transport Assessment predicts person trips across all modes both before and after the Travel Plan and the sustainable transport enhancements have been brought into place. The effect of the travel plan is a modal shift of 13% of trips from the car to other modes which is achievable when considering the Travel Plan and sustainable transport initiatives proposed.

Development Access

115. It is proposed for the commercial developments to be accessed from a new northern roundabout on Durham Lane adjacent to Carter Moor Farm and approximately 130 metres south of the Durham Lane / Cleasby Way junction. The residential development, the care home, retail and community facilities will be accessed from the existing Durham Lane / Chaldrons Way roundabout which is to be improved to allow vehicles to gain access to the site.

116. The access proposals are acceptable and include for new pedestrian crossing facilities at the northern roundabout, a cycleway on the east side of Durham Lane to link in with Cleasby Way and the extension of the 30mph speed limit and associated street lighting to a point 90 metres north of Cleasby Way. These additional improvements will need to form part of the section 278 agreement for the new development access.

Traffic Impact

117. The impact on the road network has been assessed for the proposed development traffic pre Travel Plan and is therefore robust. As a result, mitigation is proposed, to be developed via a section 278 agreement, at two existing junctions as follows.

A66 / Durham Lane Dumbbell Interchange

118. Widening is proposed on the Yarm Back Lane and the Darlington Road approaches to the northern roundabout and also on the Durham Lane approach to the southern roundabout as shown on the Phil Jones Associates drawing number 292-013. It has been demonstrated in the TA that these improvements mitigate against the Allens West development traffic.

A67 / Durham Lane / Tesco's Roundabout

119. Widening is proposed on the A67 Urray Nook Road western approach and on the Durham Lane approach to this roundabout as shown on the Phil Jones Associates drawing number 292-012-RevB. It has been demonstrated in the TA that these improvements mitigate against the development traffic.

120. As well as the above, an additional improvement scheme has been developed by BSP Consulting for the A67 / Durham Lane / Tesco's Roundabout, which provides additional mitigation, should the Land at Urray Nook Road commercial development (08/0241/OUT) also be given planning permission. This improvement provides additional widening on both the A67 Urray Nook Road western approach and on the Durham Lane approach but also widening on the A67 Urray Nook Road eastern approach. This improvement is shown on BSP consulting drawing number 07164/101.

121. The developer is also to provide £20k towards a traffic management study to investigate existing congestion problems in Yarm.

Sustainable Transport

122. The existing sustainable transport infrastructure, enhanced by the following improvements, will encourage the use of alternative forms of transport to the private car and will be adequate to meet the needs of the development.

Public Transport

123. The TA has correctly identified that the bus service provision past the site is poor with only one bus an hour (service 20) serving Middlesbrough, Stockton and Durham Tees Valley Airport. However, in order to encourage the use of public transport, the developer is proposing to fund the re-instatement of bus service 20 to half hourly at a cost of £250,000 over 3 years and proposing to provide £50,000 to fund the improvement of the bus stops on Durham Lane with the provision of bus shelters and real time information.

Cycling and Pedestrian

124. Cycling and pedestrian enhancements are proposed as part of the development to include improvements to the existing footways on the Durham Lane site frontage and also a new cycle / pedestrian linkage to the west of the site out onto Urray Nook Road. The developer is also providing £50k to fund new cycle / pedestrian improvements which will include a new cycle / pedestrian route on the east side of Durham Lane to link the Allens West site and Kingsmead Housing Estate to Cleasby Way and Eaglescliffe Industrial Estate. Additional cycle parking will be also be provided at Allens West railway station.

Rail

125. The TA has correctly identified the adjacent Allens West rail station as being within easy walking distance of the proposed site and full pedestrian connectivity will be provided to it. A park and ride facility is also proposed for the station, accommodating 30 car parking spaces as well as additional cycle parking facilities. The developer is also proposing to provide £250,000 funding for enhancements to Allens West station as part of the Tees Valley Metro improvements and also a contribution of £25k towards making the station DDA compliant.

Road Safety

126. Road safety has been adequately assessed in the TA and has identified an existing road safety problem on Durham Lane, north of the site. SBC currently have safety enhancements proposed for this road and in order to mitigate the effect of the additional development traffic on this route, the developer is proposing to provide a £20k contribution towards these road safety improvements. The new roundabout proposed on Durham Lane as well as the extension of the 30mph speed limit and the associated street lighting to a point north of Cleasby Way will also provide safety improvements.

Travel Plan

127. A Travel Plan has been provided for the development which is predicting a 13% modal shift away from the private car. This is achievable when considering the Travel Plan itself as well as the sustainable transport enhancements detailed above. The Travel Plan and the ongoing management of it should be conditioned within the planning permission.

Conclusion

128. The Transport Assessment and Travel Plan for the Allens West site have demonstrated that sufficient road improvements and sustainable transport enhancements are proposed to fully mitigate against the impact of the development. This is not only through road junction improvements at the A66 / Durham Lane Interchange and the A67 / Durham Lane / Tesco roundabout but also through Travel Plan initiatives and proposals to improve the bus, rail, cycling and pedestrian infrastructure. A full summary of the financial contributions that the developer has committed to are listed below. These are in addition to the costs for funding the section 278 improvements at the development accesses and at the A66 / Durham Lane Interchange and the A67 / Durham Lane / Tesco roundabout.

- £250,000 towards the Tees Valley Metro.
- £25,000 to make Allens West railway station DDA compliant.
- £215,000 towards the appointment of a Travel Plan Manager and the ongoing management of the Travel Plan.
- £200 per dwelling for personal travel planning.
- £250,000 for the reinstatement of bus service 20 to run half hourly past the site.
- £50,000 towards public transport and the improvements of bus stop facilities on Durham Lane.

- £50,000 towards cycling / walking. This to include the funding of a new cycling / pedestrian link on the east side of Durham Lane.
- £20,000 towards road safety measures on Durham Lane.
- £20,000 towards a traffic management study of Yarm by Stockton Borough Council.

129. With regard to the Elton Interchange the applicant is proposing a similar arrangement to widen the approach on the Durham Lane leg to facilitate more capacity through the junction. The Highways Agency has considered the scheme and is satisfied with the highway arrangements subject to the imposition of appropriate conditions.

CONCLUSION

130. It is considered that the principle of residential development is acceptable in this location. Overall the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on ecological habitat and flooding. The proposed access and highway arrangements satisfies the requirements of Head of Technical Services and the proposal is in accordance with relevant planning policy and guidance and therefore the recommendation is for Members to be minded to approve the application subject to the final comments of the Highway Agency and Heads of Terms and conditions set out in the report.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Gregory Archer
Telephone No 01642 526052
Email address gregory.archer@stockton.gov.uk

Financial Implications – As report

Environmental Implications – As report

Community Safety Implications – As report

Background Papers – Stockton on Tees Local Plan, SPG 4, PPS1, PPS 3, PPG4, PPS6, PPG13, PPG17, PPS23 and PPS25.



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

Ward Eaglescliffe
Ward Councillors Councillor A L Lewis, Councillor J. A. Fletcher, Councillor Mrs M. Rigg

08/0567/EIS, Allens West - Site location plan APPENDIX 1

DO NOT SCALE All dimensions to be checked on site and Architect to be notified of any discrepancies prior to commencement	
DESIGNERS RISK ASSESSMENT Construction (Design and Management) Regulations 1994	
RESIDUAL RISKS	DATE
REF.	DESCRIPTION

Key

-  Planning application boundary
-  Land owned by the applicant but not part of planning application



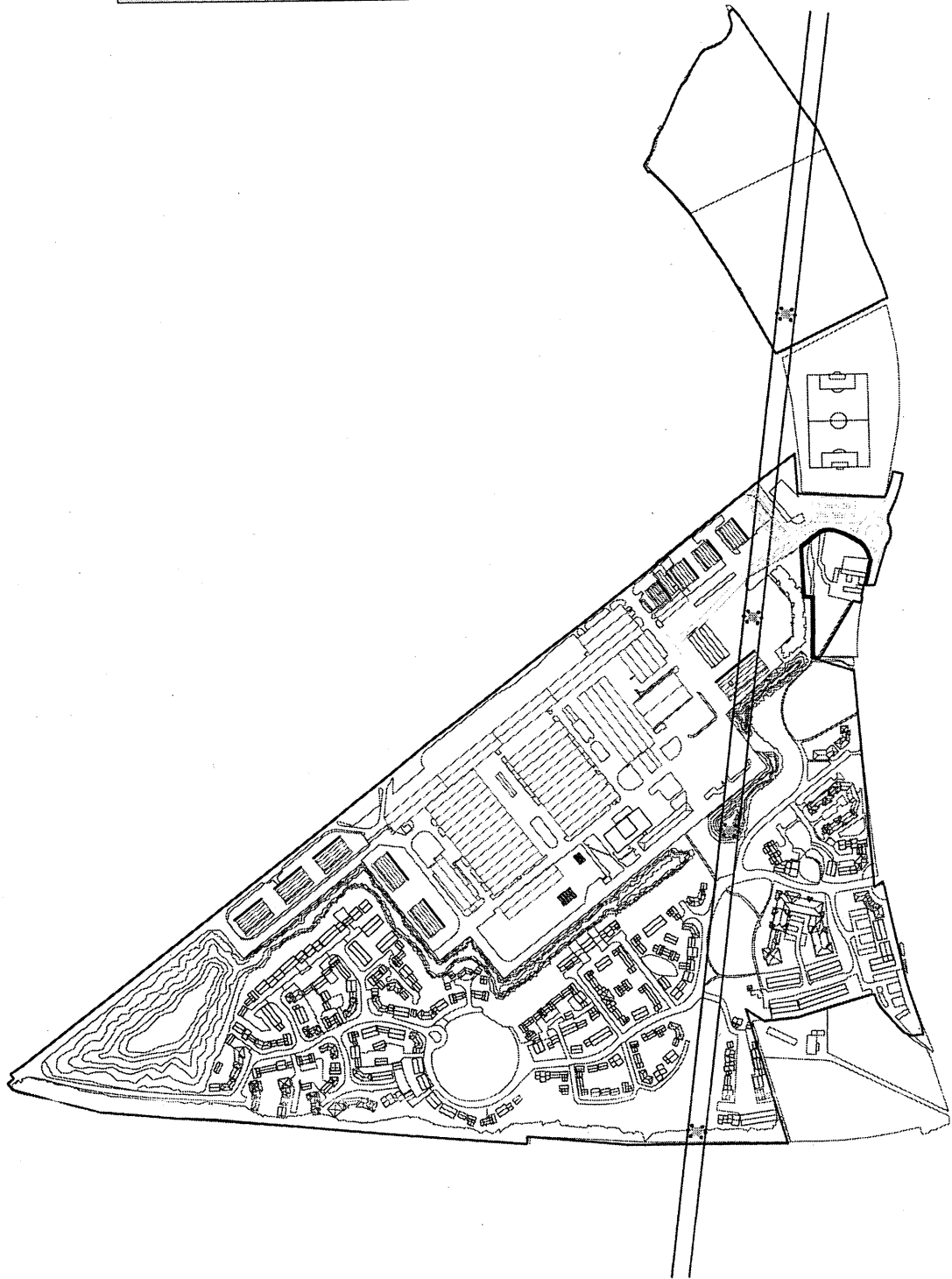
JOB / CLIENT DRAWING TITLE Parameter plans - Planning application boundary		PROJECT ARCHITECT R.C.	DRAWN BY M.B.	CHECKED D.W.
ST. JUDES, BARKER STREET, SHIELDFIELD, NEWCASTLE UPON TYNE, NE2 1AS TEL (0191) 261 4442 FAX (0191) 261 1090 e-mail - info@idpartnership.co.uk		SCALE 1:5000	PROJECT NO. N81:1616	DRAWING NO. PL107
id PARTNERSHIP IAN DABY PARTNERSHIP NOT TO BE REPRODUCED WITHOUT PERMISSION		DATE 03/03/08		

DO NOT SCALE All dimensions to be checked on site and Architect to be notified of any discrepancies prior to commencement.	
DESIGNERS RISK ASSESSMENT Under the Construction (Design and Management) Regulations 1994.	
RESIDUAL RISKS	DATE
REV.	DESCRIPTION

Key

□ Planning application boundary

□ Land owned by the applicant but not part of planning application



JOB / CLIENT DRAWING TITLE Indicative masterplan		PROJECT ARCHITECT R.C.	DRAWN BY M.B.	CHECKED D.W.
ST. JUDES, BARKER STREET, SHELDONFIELD, NEWCASTLE UPON TYNE, NE2 1AS TEL: (0191) 261 4442 FAX: (0191) 261 1080 e-mail: info@idpartnership-northern.com		SCALE 1:5000	PROJECT NO. N81:1616	DRAWING NO. MP107
id IAN DABY PARTNERSHIP NORTHEN		DATE 03/03/08		

