

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

17 March 2010

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

09/3024/REM

**Land at Ashbrook/Ringwood/Hazeldene, Ingleby Barwick, Stockton
Reserved matters application for residential development of 356 dwellings**

Expiry Date 24 March 2010

SUMMARY

In the late 1970's outline planning permission was sought for the creation of 7,920 dwellings. Following a refusal of the application, the application was approved on appeal in 1979. Members will also recall that a revised development brief for the remainder of village 6 was agreed at the Planning Committee on the 24th February 2010.

Planning permission is sought for reserved matters approval for a residential development of 356 dwellings within village 6 of Ingleby Barwick. The proposed development proposes a mix of dwelling types including terraced, detached and semi-detached dwellings. The layout follows the principles set out in the development brief with areas of public open space provided along Barwick Lane.

On the whole the proposed development is considered to be visually acceptable although minor amendments are required to the landscaping principles. It is not considered that the proposed development will have any adverse impacts on levels of residential amenity, highway safety, flood risk, protected species or archaeological features.

RECOMMENDATION

Planning application 09/3024/REM to be delegated to the Head of Planning for approval, subject to acceptable revised details being received, the completion of a Section 106 agreement and the conditions below and any other conditions as may be deemed necessary.

01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>SGD-02</i>	<i>14 December 2009</i>
<i>SGD-04</i>	<i>14 December 2009</i>
<i>SGD-01 REV B</i>	<i>14 December 2009</i>
<i>ENG 02 REV C</i>	<i>14 December 2009</i>

5439-001	14 December 2009
R-S104-2 REV A	14 December 2009
RAH-001	23 December 2009
IB-A-LP-01	14 December 2009
HOUSETYPES	14 December 2009
DOCUMENT	

Reason: To define the consent.

Materials

02 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the building(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the external walls and roofs of the building(s).

Reason: To enable the Local Planning Authority to control details of the proposed development.

Means of Enclosure

03 All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development is commenced. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.

Reason: In the interests of the visual amenities of the locality.

Existing and Proposed Site levels

04 Notwithstanding the information submitted as part of the application details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

Reason: To define the consent

Open space provision:

05 No development shall commence until the Local Planning Authority has approved in writing the details of the Public Open Space within the site including:

- a) The delineation and siting of the proposed Public Open Space (POS);
- b) The type and nature of the facilities to be provided within the POS;
- c) The open space shall be completed in accordance with the approved scheme and any phasing arrangements as agreed ;
- d) The arrangements the developer shall make for the future management of the Public Open Space. Where Title Transfer (Refer to informative) is not proposed the management details shall be prepared for a minimum period of 20 years from practical completion of the completion of the POS works.

Reason: To enable the Local Planning Authority to satisfactorily control the development.

Noise protection – Road traffic

06 Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB (A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme

approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

Reason; To protect the amenity of the occupants of the dwellings from excessive road noise

Construction activity;

07 *No construction activity shall take place on the premises before 8.00 a.m. on weekdays and 8.30 a.m. on Saturdays nor after 6.00 p.m. on weekdays and 1.00 p.m. on Saturdays (nor at any time on Sundays or Bank Holidays).*

Reason; To avoid excessive noise and disturbance to the occupiers of nearby premises.

Unexpected land contamination;

08 *In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.*

Reason: To ensure proper restoration of the site.

Access;

9 *Notwithstanding any description contained as part of this application all construction traffic associated with this development shall utilise the southern access to The Rings.*

Reason: In the interests of the amenity of existing residents

Highway materials and gradients

10 *Notwithstanding any details submitted as part of this application details of all materials for surfacing and proposed gradient changes to the highway shall be submitted to and agreed in writing with the Local Planning Authority. The materials and gradients shall be implemented in accordance with these agreed details.*

Reason; In the interests of highway safety.

Construction compounds and car park areas

11 *Prior to commencement of the development details of site compounds and temporary car parking for construction workers, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.*

Reason; In the interests of highway safety.

Traffic management plan

12 *A traffic management plan for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such a scheme shall include routes that HGV's will be permitted to use in the vicinity of the site and wheel washing facilities to ensure that no mud or debris is carried onto the highway. The agreed scheme shall be implemented in accordance with the agreed details.*

Reason: In the interests of highway safety.

Self build Design guide

13 *Notwithstanding the submitted details prior to the submission of details relating to the reserved matters for self built plots, a Design Guidance document shall be submitted to the local planning authority for its approval. The Design Guidance document shall build upon the principles in the Ashbrook Self Build Design Strategy and indicate:*

A development zone for each plot.

The approximate location of the proposed dwellings

Finished floor levels

Detailed design code of, materials, scale and massing of buildings (including a maximum height).

Landscaping principles for the development

Suitable garaging options (including maximum heights)

Means of enclosure

The development shall be implemented in general conformity with these approved documents unless otherwise agreed in writing.

Reason: To allow the detailed proposals to be considered against an approved Design Guidance document and to enable the Local Planning Authority to satisfactorily control the development.

INFORMATIVES

The proposal is also considered to be visually acceptable and does not pose a significant risk to highway safety, flood risk, archaeological features, protected species or the amenity of neighbouring occupiers. The development has been considered against the policies below and it is considered that there are no other material considerations that indicate a decision should be otherwise.

Policy GP1 – General Principles; HO1 – Housing Allocations; HO11 – Design and Layout; TR15 – Highway Design and EN30 – Sites of Archaeological Interest

HEADS OF TERMS

Heads of terms are currently subject to various discussions and will be confirmed within an update report.

BACKGROUND

1. In the late 1970's outline planning permission was sought for the creation of 7,920 dwellings. Following a refusal of the application, the application was approved on appeal in 1979. Development of Ingleby Barwick has largely progressed in line with this outline planning permission since this time.
2. Members will also recall that a revised development brief for the remainder of village 6 was agreed at the planning committee on the 24th February 2010. It is considered that this current application follows the principles set out in this document.

PROPOSAL

3. Planning permission is sought for reserved matters approval for a residential development of 356 dwellings within village 6 of Ingleby Barwick. The proposed development proposes a mix of dwelling types including terraced, detached and semi-detached dwellings, the majority of which are two storeys, although some include a room in the roof with dormer window (2½ storeys).
4. The layout follows the principles set out in the development brief with areas of public open space provided along Barwick Lane. Equally the scheme follows the principles of the Government guidance 'Manual for Streets', (MfS) which include providing active frontages on roads, provision of build outs, varying surface treatments and highway trees.

CONSULTATIONS

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

Friends of Tees Valley Heritage Park

We would like to support the comments submitted by the Stockton River Corridors Partnership. We are particularly pleased to see that the proposals acknowledge the Tees Heritage Park and seek to create better pedestrian access to it.

However we are very concerned at the indicated layout for the houses fronting the Park, which will present an uncompromising "solid wall" of building along the prominent ridge line of the river valley. I attach a photograph of houses immediately abutting the southern boundary of the proposal, on the same building line, which speaks for itself. Further similar development will have an awful effect on the natural and rural landscape, we are all trying to protect. It should not be difficult to redesign this frontage to provide a more sensitive and varied building line together with conditions to ensure a variety of house types/locations more sympathetic to the landscape.

Acting Head of Technical Services

I refer to your memo dated: 5/01/10

Reference drawing no: see below under character areas

General Summary

The application is for reserved matters, excluding landscape for residential development at Ashbrook/Ringwood and Hazeldene in Ingleby Barwick. The application has been assessed in term of Highways and Landscape and Visual impacts and has been found to be acceptable.

Highways Comments

Extensive traffic modelling has been undertaken on the local highway network in and around Ingleby Barwick. This modelling has demonstrated that without signification highway improvement works no further development in Ingleby Barwick would be possible as any development has the potential to add to the existing heavily congested roads. Based on the findings of the traffic model the Highway Authority has developed a comprehensive highway improvement package that would on completion allow Ingleby Barwick to be built out. A significant part of the proposed mitigation works should be funded from this Reserved Matters application. However, the Highway Authority acknowledges that the necessary traffic improvements cannot be achieved until the full highway mitigation works identified in the traffic modelling are complete. This would require additional funding from other Planning Applications including the Outline Application for residential development of 150 dwelling houses at neighbouring Sand Hill,

The access to the Ashbrook/Ringwood and Hazeldene development will be from the western leg of the four legs 'Sandgate' roundabout that currently only provides access to Barwick Farm. This new access road will form an extension to 'The Rings' so that a through route between Sandgate and the Queen Elizabeth Way roundabout is created.

The traffic issues associated with this development and other current applications as well as the existing traffic have as previously noted been subject of extensive traffic modelling work undertaken by the Highway Authority. It should be noted that subject to appropriate mitigation works which should increase the capacity of the local highway network, this development is acceptable in traffic terms as it has been demonstrated to reduce overall congestion and improve the free flow of traffic. These mitigation works involve dual carriageway works to Myton Way between Queen Elizabeth Way roundabout and Tesco roundabout and also signalisation of Sandgate roundabout, these works are indicated on drawing numbers TS-D1-155-1-24 and TS-D1-155-1-26 and are estimated to cost £2.6 million.

To facilitate the wider mitigation works Permissions will also have to release a covenant on land that will allow the Highway Authority to build out highway works agreed under a S106 application for the nearby Tesco Store. These works as shown on drawing number TS/D1/155/1/30 and will improve Ingleby Way between Myton Way and Barwick.

If planning permission for this development is granted then It should be conditioned that construction traffic will not be permitted to access this new development during the construction phase from The Rings in order to ensure that existing residents are unaffected by construction traffic.

The overall site layout of the development follows, the principles of the Government guidance 'Manual for Streets', (MfS) these principles include providing active frontages on roads, provision of build outs, varying surface treatments and highway trees. Incurtilage parking numbers are in line with the Council's Supplementary Planning Document 3 (SPD3): Car Parking in New Developments is also provided.

It is noted that the layout attempts to provide an environment that encourages lower traffic speeds and is generally acceptable, a Stage 1 Road Safety Audit has been undertaken and areas of concern highlighted in the report have been resolved. Autotracking for refuse vehicles together with pull distances for wheelie bins has also been satisfactorily demonstrated.

The development also proposes a acceptable temporary farm access for Barwick Farm, and these arrangements should be maintained until the permanent farm access arrangements are resolved as part of a future Reserved Matters application. As the proposed permanent access is within the developer's ownership (blue line), it should be conditioned as part of this application that a suitable permanent access for farm vehicles must be provided as part of a future planning application.

Proposed junctions to the south of The Rings are acceptable as indicated with sufficient visibility and access widths, this includes the proposed access to the current Sand hill outline planning application for residential development and also accesses for future reserved matters planning applications.

The development will be subject to a Section 38 agreement with the Highway Authority as the developer has indicated areas that are to be adopted.

A bridleway exists to the west of the development. All new 'Rights of Way' (ROW) need to be added onto the Definitive Map in which the developers are required to pay all costs (inc. advertising and legal costs) to amend the map. On receipt of a drawing indicating the proposed route, the Local; Highway Authority will commence consultation with various user groups and interested parties to seek their opinion on proposals. In addition, the developer will bring all new ROW's to an acceptable standard for its fit purpose. It should be noted that grant of planning permission does not entitle developers to obstruct a public right of way and enforcement action may be taken against any person who obstruct or damages a right of way. Given the layout the

POW is likely to be considered for future Title Transfer by the Council rather than adoption. Further information on Title Transfer can be provided by SBC Countryside and Greenspace Team.

In addition appropriate footpath and cycle links are indicated with good permeability around the site.

In summary, this application is acceptable in highway terms subject to appropriate mitigation being implemented, the developer entering into a S38 agreement with the Highway Authority and appropriate conditions on the following:

- It will be necessary for all materials for surfacing and proposed gradient changes to be agreed prior to commencement of development;
- All works should be carried out within the site and details of site compounds and temporary car parking should be submitted for approval;
- A Traffic Management Plan should be submitted and approved in writing that details the routes HGV's will be permitted to use in the vicinity of the site in order to minimise impact on existing residents;
- Wheel washing facilities should be provided on site to ensure that no mud or debris is carried onto the highway; details of this should be submitted prior to commencement of development.
- Suitable permanent access arrangements to be provided at the appropriate time for Barwick Farm.

Landscape & Visual Comments

General layout – site layout RAH 001 and landscape concept plan ref 5439-001

This layout is acceptable subject to the imposition of a landscape condition to secure the agreement of soft landscape which do not form part of this reserved matters application. The condition should be amended to include the retention of a mature tree until SBC officers can assess its condition. The hard landscape details in terms of road surfacing and highway street furniture materials will be controlled via the Section 38.

The areas of Public Open Space that have been provided at the fringes of the housing next to Barwick Lane are considered acceptable.

Whilst landscaping does not form part of this application it is a requirement of the application to ensure that subsequent landscape proposals can be accommodated within the layout. The overall site layout of the development follows the principles of MfS. These principles include providing active frontages on roads, provision of build outs, varying surface treatments and highway trees. The MfS principle including character areas shown on Page 9 of the Design and Access Statement (squares and home zones) is supported but must be supplemented by quality hard surfacing and meaningful landscaping on the squares and build outs. These details may require defining service utility runs to one side of the adopted road to ensure that the design concept can be achieved. Again this can be controlled via the Section 38.

Soft landscape treatment along the approach roads and also within individual house plots of the proposed estates to provide an essential level of visual amenity. Whilst the inter-relationship of planting is not required at this stage the drawings indicating reasonably sized landscape plots and tree planting within the housing estate. Full details of how the landscape plots would be controlled by planning conditions.

SBC will ensure that any street furniture installed as part of the Section 38 is kept to a minimum. It is noted that only street furniture required for the function of the highway will normally be adopted. However, consideration for adoption of other non essential street furniture including Street Trees

may be given subject to agreement of future maintenance commuted lump sums. SPD6: Planning Obligations (May 2008) provides details on costings for the how the long-term maintenance of planting. Street furniture is normally costed at 50% of the initial supply and installation costs.

Character Areas;

The following 4 character areas within the Masterplan create a green landscaped corridor leading into the estate via the primary access road and through the estate into the countryside. The details of these character areas form part of the landscaping element which is excluded from this reserved matters application and should, therefore, be controlled by condition.

Area 1 - Detail sketch plan larger public open space planting principles ref P-96-002

The basic layout is broadly acceptable but the following changes and details are required:

- Buffer planting is required with low mounds on the northern boundaries where housing is located;
- Shrubs beds should be no less than 2m and no wider than 4 metres for ease of maintenance;
- There is little room for ball games and to this effect the western most paths should be removed and the plays areas move slightly to the east to create a grassed space for informal ball games. The path system could also be rationalised to provide larger areas of greenery on the south side of the park;
- The play area details have been looked at by Countryside and Greenspace (see email dated 26/01/10) and we agree that a more imaginative design along the 10 design principals set out by Play England should be provided as this is a main area of open space in Ingleby. It is very important that the potential house owners who are adjacent to the play area/open space are fully aware of the equipped play area design and its presence to avoid a repeat of the Hillbrook play area situation;
- Buffer planting must be provided to screen the house form the community centre.
- A full hedgerow management and restoration plan must be provided – we would not wish to see a full wildflower grass meadow on the southern side of the hedge for maintenance reasons but wildflowers that can cope with longer grass such as Field scabious, Hedgerow Geranium and Red Champion could be planted close into the hedge to enhance its wildlife value and attractiveness;
- At its eastern edge the design should blend into the Myton way road corridor. A fence boundary should be used to define the two boundaries;
- All bulb planting should be early flowering varieties such as crocus, early flowering daffodils and snowdrops for ease of maintenance.

Area 2 –landscape of road corridor - no detail drawing but sketch plan on page 14 of the Design and Access Statement and plan on pg 20 of development brief consulted

The Strategic Landscape Plan on page 17 of the development brief and the proposed Landscape Concept show that it is the intention to plant and enhance the primary access road to create a well landscaped 'boulevard' corridor as part of the green infrastructure for the estate. The site layout plan ref RAH-001 shows that a number of houses are too close to the road to facilitate this tree planting. It is, therefore, recommended where sightlines are not compromised to relocate these trees within the adopted highway and continue the boulevard. Future utility service routes should be kept away from these areas to facilitate the tree planting. Again this can be controlled via the Section 38.

Area 3- Detail sketch plan smaller public open space planting principles ref P-96-004

- This layout requires redesigning to create a more open feel. We would envisage this space as being primarily passive open space with seating with the landscape designed to deter ball games;

- We note the tree report that the existing mature tree is recommended to be removed as it is in a very poor state. However, SBC would wish to control any felling and require that if the felling cannot be controlled under the landscape reserved matters a further condition be placed on tree felling and that the tree shall not be removed until permission is given by SBC's Arboricultural Officer;
- A hedgerow management plan as above comments area 1 is requested.

Area 4- link to Heritage Park – no detail drawing but sketch plan on page 14 of the Design and Access Statement and on pg 24 of development brief consulted

- The existing hedge in this area is very weak with many gaps and therefore we would be happy to see it replaced with new native type shrub and tree planting to provide a natural link to the countryside to the west. The potential exists to locate some larger native tree species in the planting away from the house at the western end of the space. This area is particularly important in creating the links to the open country heritage park;
- Is it the intention of persimmon homes to remove the temporary access track used by the farm traffic and replace it with a smaller footpath/cycleway once the permanent farm access is created from the housing layout to the south – this matter is dealt with under highway comments.

Area on western boundary of housing adjacent to the countryside

- Increased areas for landscaping have been allocated so that the landscape problems on Riverview development are not repeated. The line of the Bridleway shall be retained and maintenance details agreed to ensure that the route is adequately protected and maintained to a satisfactory condition.

Northern boundary

- There is a hedge on the northern boundary which will be located in the back gardens of this development as a fence already exists on the northern boundary of the hedge. An aerial study of the hedge shows it to very weak and none existent in places at its eastern end whilst it is fairly dense at the western end. A full survey of the hedges condition should be undertaken including all management and restoration work required. It may be the case that the remaining hedge sections east of plot 34 could be removed and replaced with specimen tree planting in the rear gardens but their wildlife and visual value should first be assessed as part of the survey.

Eastern boundary

- The development meets the Myton Way landscaped road corridor at this point. A boundary treatment should be provided to define the road corridor that matches other boundary treatments along the road. A commuted lump sum will be required for the on going maintenance of this boundary if it falls within the remit of the council for maintenance.

Planting within highway land

- Tree and shrub planting will be located on highway adopted areas both in the road verges on the main access road as part of the highway land within the estate i.e. The squares and home zones. SPD6: Planning Obligations (May 2008) provides details on costings for the how the long-term maintenance of such planting.

Open space title transfer –Adoptable area plan ref Eng01 rev C

- Further discussions will be necessary with SBC's Countryside and Greenspace team will be necessary to agree details of Title Transfer.

In conclusion full details are requested for all the hard and soft landscaping mentioned above and as such suggested condition wording is attached below in the informative section.

INFORMATIVE: CONDITIONS
LANDSCAPING – SOFTWORKS
MAINTENANCE- SOFTWORKS
ON SITE PUBLIC OPEN SPACE

Association of North East Councils

The proposal is broadly consistent with regional planning policy. However, the proposal should seek to include a travel plan and the provision of SUDS; the local authority should be satisfied with the level of affordable housing proposed; the local authority should be satisfied that any adverse ecological and archaeological impacts are suitably mitigated; and the local authority should be satisfied that the capacity and effective running of local highways is not adversely affected by the development.

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the conditions as detailed be imposed on the development should it be approved.

- Noise disturbance from adjacent road traffic

Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB (A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

- Construction Noise

All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

- Unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development. The application has been examined and Northumbrian Water Ltd has no objections to the proposed development. However Northumbrian Water Ltd considers that the proposed development will only be acceptable provided that the following condition is imposed upon any permission granted:

Condition

Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason

To ensure the discharge of SW from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 Development and Flood Risk and complies with the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

In discharging the condition the Developer should develop his Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.

Namely:-
Soakaway
Watercourse and finally
Sewer.

If sewer is the only option the developer should contact New Development Team at NWL Leat House Pattinson Road Washington NE38 8LB to arrange for a Developer Enquiry to ascertain allowable discharge points & rates.

Northern Gas Networks

According to our records NGN has no gas mains in the area of you enquiry. However, our records indicate that gas pipes owned by other Gas Transporters may be present in this area.

A plan is attached for your information and further enquiries with regard to such pipes should be obtained from the owners.

The Environment Agency

Thank you for referring the above application which was received on 5 January 2010. We have no objections to the application as submitted, however we wish to make the following comments:

Informatives for LPA/Applicant:

Foul drainage

We have received an email from the applicant confirming that foul sewage is to be disposed of via connection to the mains sewer, and that this has been approved by Northumbrian Water. We would not have any further comments to make in this respect.

If however there are any subsequent amendments/alterations to the application as submitted we would wish to be reconsulted.

The Sewerage Undertaker should also be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

Surface water drainage

The applicants have also confirmed by email that surface water will be disposed of to the mains sewer. We would however encourage the use of sustainable forms of drainage on this site to attenuate the flows to the existing runoff rate. Ponds, swales, green roofs, permeable paving, and water recycling are all feasible on a site of this size. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. This approach involves using a range of techniques to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. It can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.

In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

Sustainable Energy Use / Renewable Energy Generation

We consider that a planning application of this scale should incorporate Sustainable Energy Use / Renewable Energy Generation principles. Nationally, the Government seeks to minimise energy use and pollution, and move towards a higher proportion of energy generated from renewable resources. In line with the Regional Spatial Strategy for the North East, we consider the proposed development should incorporate Policies 39 (Sustainable Energy Use) and 40 (Renewable Energy Generation).

In conforming to these policies the proposed development should be designed to ensure energy consumption is minimised and meets the EcoHome "very good" or "excellent" rating or an equivalent Code for Sustainable Homes rating. In addition, we consider the proposed development should have embedded within it a minimum of 10% energy supply from renewable resources.

Natural England

Natural England notes that the principle for development on this site has already been established through the approval of the outline application in 1978. Consequently it would appear that no ecological survey information has been provided with this reserved matters application. Thus we are unable to provide informed and substantive advice regarding whether this proposal may have an adverse effect on legally protected species and habitats.

Natural England would like to state that, should this application be approved, this does not absolve the developer complying with the relevant wildlife legislation.

I hope that these comments are useful to you, but if you require clarification on any of the above points please do not hesitate to contact me.

Waste Management

It appears from the outline plan that there may not be access for waste and recycling collections at certain properties, it also looks as though some properties will be further than the required 25 meters maximum distance from container collection point to vehicle pickup point.

In addition some cul-de-sac's look very narrow and may not meet the requirements to allow sufficient room to manoeuvre a refuse vehicle of the following dimensions: Length - 11m, Width - 2.4m, Turning Circle – 20 m (between walls). Road construction would also need to withstand up to 26 tonnes

Would need to see detailed plans of where bin storage area's and collection points would be before passing further comment

Tees Archaeology

Archaeological remains have been identified in this area following the granting of planning consent in the 1970s.

I understand that the developer is willing to carry out archaeological works on a plot by plot basis in line with a written scheme of investigation submitted in respect of planning application 09/3025/OUT.

I am happy to work on this basis as I understand that new archaeological conditions could not be imposed at this stage.

One North East

Thank you for requesting the Agency's comments on the above application as part of One North East's statutory consultee role in accordance with the provisions of the Town and Country Planning (General Development Procedure)(England)(Amendment) Order 2003.

It is considered that the proposed development falls within Criterion A of the Agency's notification criteria, which were sent to local authorities in October 2005, namely:

- A. Residential schemes for 150 or more dwellings or sites over 5 ha, or a group of individual sites whose proximity to one another and combination of development would contribute to a scheme of this size and scale.

As you are aware One North East is responsible for the development, delivery and review of the Regional Economic Strategy (RES) on behalf of North East England. The RES sets out how greater and sustainable economic prosperity will be delivered to all of the people of the North East over the period to 2016.

The following comments reflect the view of One North East acting in its role as a statutory consultee. As such they are provided only in accordance with the provisions of the above regulations and relate to the effects that the proposals are considered to have upon the Regional Development Agency's strategic regional investment or employment policies.

The Ingleby Barwick Masterplan established the overall principles of development at Ingleby Barwick in 1977. Outline permission for the development of 7,920 dwellings with associated development was then granted in 1978 by the Secretary of State. A condition of the outline consent was that development would be progressed in the order indicated in the Masterplan and in accordance with development programmes to be encompassed in a series of development briefs, prepared for each

Phase of development. The development brief for Villages 5 and 6 was approved in 1998 and a substantial proportion of development has since occurred, including the completion of Village 5. The brief has since been updated by Persimmon Homes Limited, working with the Council. The updated brief is currently pending approval by the Council.

The application subject to this consultation is for the approval of Reserved Matters, following the 1978 outline approval. It comprises the development of 356 dwellings at the Ashbrook and Hazeldene areas of Ingleby Barwick 'also know as 'the rings'. The proposals include a range of dwellings from small terraced property, through to large detached houses and also residential plots reserved for self build development. These plots will be subject to separate Reserved Matters applications; however such applications will have to be in compliance with the requirements of the overarching Design and Access Statement.

Set in the context of the Masterplan and the extant outline planning permission, the Agency recognises that the principle of residential use on this site has already been established. Within the parameters of the Reserved Matters application, the LPA may wish to consider the following:

The Agency notes from the Draft Heads of Terms for the Section 106 agreement, that the affordable housing element to be provided pursuant of the application are those units which are being provided off-site from the Sand hill development. Clearly the LPA should be satisfied that the level and type of affordable housing provision is appropriate and as the development brief describes, aligns with SHMA work and Core Strategy policy requirements.

As you are aware the Regional Economic Strategy promotes the need for quality of place within existing and proposed development. With this in mind, the Agency would request the LPA to encourage the developer to pursue the highest standards of quality and sustainability in the development of this site e.g. Code for Sustainable Homes, Building for Life and Secured by Design.

In line with Government objectives¹ to generate 10% of electricity from renewable energy sources by 2010 the applicant should also provide details regarding the provision of renewable energy measures within the scheme. It is noted that the development brief includes reference to Policy 39 of the RSS and states that the Sand hill development will be in compliance with this policy and Policy CS3 of the Publication Draft Core Strategy. However, it is not clear whether the 356 dwellings proposed for this application will be in compliance with the policy. We recommend that this requirement is only waived in exceptional circumstances where a compelling body of evidence is available to justify why renewable energy should not be used. Over thirty years have passed since the original outline permission. In that time there have been significant changes to national policy in respect of achieving sustainable development and also considerable advancements in renewable technologies². The Agency can signpost developers to information and advice on how the properties can benefit from the most cost effective energy saving measures and most appropriate renewable technologies.

In addition, you may be aware that the North East is the first region in the UK to have a Low Carbon Economic Area for Low Carbon Vehicles. Over the next two years One North East is aiming to work with key partners to develop electric vehicles infrastructure. This could involve up to 600 charging points being deployed in the region. It is vital that developers consider provision for electric charging points within new developments including within domestic dwellings, to consolidate this infrastructure. Alex Fowler within the Agency's Strategic Economic Change team can provide further information and guidance in this respect. He can be contacted on 0191 229 6871. The Council should give this further consideration both in the context of the application and the wider Development Brief requirements.

Sport England (in Summary)

Sport England has considered the application in light of Sport England's Land Use Planning Policy Statement Planning Policies for Sport. 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.

Sport England Objects to the application and advises that there is a need for the applicants/Local Authority to examine the needs likely to arise from the development and ensure that sport and recreation provision is addressed through the application of section 106 agreements.

Using the Sports Facility Calculator we would suggest that a development of this scale should be making provision for investment in sports facilities to the tune of £265,279

Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application no. 09/3024/REM and would like to raise the following comments:

Representatives from both Stockton-on-Tees Borough Council Planning Department and Persimmon Homes attended the meeting of Ingleby Barwick Town Council which took place on Wednesday 10th February 2010, to discuss development of Village 6 and the associated planning brief.

Various comments and issues were raised by the Town Council.

¹ As set out in PPS 22 (Aug. 2004) and its review published June 2006

² small renewable energy schemes in housing and business premises are set to be enhanced by the Feed in Tariff enabled by the Energy Act 2008, due to be introduced from April 2010. These provisions are intended to encourage the uptake of small-scale low carbon energy technologies by providing a financial incentive to use renewable energy.

It is noted that the planning brief for the remaining phase of Ingleby Barwick (Village 6), which is to be read in conjunction with the current Master plan for Villages 5 & 6, was approved by Planning Committee on Wednesday 24th February 2010.

It was stated in the planning brief originally provided with Planning Application Nos. 09/3024/REM and 09/3025/OUT that 20 bungalows would be provided.

The Town Council suggested that small reasonably priced bungalows for sale be provided to improve the variety of dwellings available.

Concerns are raised that no reference is now made in the planning brief to the provision of 'bungalows'.

It is also noted that the percentage of affordable housing in the planning brief has been reduced from **20%** to **15%**.

Reference is made in the planning brief to a '**potential pub/shop**'.

Although the possible site indicated for a pub/shop highlighted in the brief, is not part of this specific planning application, the Town Council would note that in their general opinion Ingleby Barwick already has enough pubs, with four existing pubs as well as the Golf Club.

With regard to the provision of a shop, this would have to be carefully situated and as far away from Tesco as possible, to ensure it was viable. Something along the lines of a General Dealer/Newsagent would be suitable. No further takeaways are required. In respect of the '**Public Open Space**' and '**Amenity Areas**' it is noted that these have been strategically located. The areas provided on the outer limits of this development will provide larger and more useable areas of open space.

Reference is made in the planning brief and the information and plans provided with this application to a '**potential community facility**'. The Town Council would request another meeting with Persimmon Homes to discuss this in more detail.

It is noted that Ingleby Barwick is in desperate need of a viable and adequate Youth Cafe Facility.

Further consultation is required with Persimmon Homes to ensure that appropriate and viable amenities are provided.

PUBLICITY

6. Neighbours were notified, 12 objections have been received and these are detailed below (in summary):-

- Impact on levels of residential amenity
- Loss of privacy
- Loss of daylight
- Loss of green/open space
- Flooding issues
- Increase in traffic
- Access to farm needs to be maintained for HGV and agricultural vehicles
- Need for high quality landscaping
- Loss of property value
- Not enough public amenities (i.e. secondary school place, parks, limited public transport)
- Not in keeping with surrounding area
- Not advised that the land was to be developed
- Ingleby Barwick is already over-developed

- ❑ Noise and dust from construction
- ❑ At odds with the original design concept for Ingleby

Objectors:

L Wrigglesworth - 107 Apsley Way Ingleby Barwick
 Chris Haymonds - 12 Apsley Way Ingleby Barwick
 Richard Owen - 30 Boar Lane Ingleby Barwick
 David Stewart - 109 Apsley Way Ingleby Barwick
 Carole Richardson - 131 Apsley Way Ingleby Barwick
 R E Frank - Summerfield Barwick Lane
 Mr and Mrs Frank - Barwick Farm Cottage Barwick Lane
 C Owen - 53 Hatchlands Park Ingleby Barwick
 Phillip Grainge - 79 Apsley Way Ingleby Barwick
 Mr and Mrs Wilson - 89 Apsley Way Ingleby Barwick
 Mr T Norwood and Ms S Wilson - 8 The Rings Ingleby Barwick
 Dr D Birdsall

PLANNING POLICY

7. 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 is the Stockton on Tees Local Plan (STLP) and the Regional Spatial Strategy (RRS).
8. 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 HO1

The following existing commitments to residential development are reaffirmed:

Position	No Dwellings	Area (HA)	1997
BILLINGHAM			
(a) BULLGARTH	30	0.5	30
(b) HIGH GRANGE	470	25.1	280
(c) HIGH GRANGE EXTENSION	20	2.6	0
(d) THE GREEN	20	0.4	0

INGLEBY BARWICK

(e) VILLAGE 3	1180	59.0	300
(f) VILLAGES 4-6	3100	178.8	2950
NORTON			
(g) MARSHALLS MONO	120	6.0	120
(h) SOUTH ROAD	15	0.7	15
(j) STATION ROAD	25	0.5	0
REDMARSHALL			
(k) HIGH FARM	10	1.4	10
STOCKTON			
(l) GREEN LANE	30	1.8	15
(m) OXBRIDGE LANE	20	0.8	0
(n) QUEEN'S PARK	50	1.2	0
(p) SHERATON SCHOOL	120	4.1	42
THORNABY			
(q) WESTBURY STREET	20	0.4	0
WYNYARD			
(r) WYNYARD PARK	605	91.0	400
YARM			
(s) ATLAS SKINNERY	75	1.1	0
(t) CATTLE MARKET	30	0.7	0
5940		376.1	4162

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 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.

Policy EN30

Development which affects sites of archaeological interest will not be permitted unless:

- (i.) An investigation of the site has been undertaken; and

- (ii.) An assessment has been made of the impact of the development upon the remains; and where appropriate;
 - (iii.) Provision has been made for preservation 'in situ'.
- Where preservation is not appropriate, the local planning authority will require the applicant to make proper provision for the investigation and recording of the site before and during development

Other relevant planning considerations are;

- Planning Policy Statement 1; Delivering sustainable development
- Planning Policy Statement 3; Housing
- Planning Policy Statement 9; Biodiversity and Geological Conservation
- Planning Policy Statement 25; Development and flood risk
- Planning Policy Guidance 13; Transport
- Planning Policy Guidance 15; Planning and the Historic Environment
- Supplementary Planning Document 3 (SPD3): Car Parking in New Developments
- SPD 6 – Planning Obligations

SITE AND SURROUNDINGS

- 9. The application site is situated in the north-west of the Ingleby Barwick settlement and lies to the south of 'The Rings' development. The site is presently laid to grass and is agricultural land, to the west of the site lies the River Tees Valley, which slopes down from east to west.
- 10. The resident properties lie immediately to the north and will adjoin the northern boundary of the proposed dwellings. Further residential properties lie to the east of the site on the opposite side of Myton Road.
- 11. To the south of the site is also agricultural land, this will form the later phases of village 6, in accordance with the Ingleby Barwick master plan and the recently approved development brief.

MATERIAL PLANNING CONSIDERATIONS

- 12. The main planning considerations of this application are compliance with planning policy, the impacts of the development on the character of the area,

Principle of development;

- 13. Planning permission is sought under a reserved matters application for residential development and follows on from the extant outline planning permission granted in 1979 at appeal, where the principle of residential development was accepted and established.
- 14. The proposed application details a mix of dwelling types ranging from bungalows, terraced properties, semi detached, detached and self build plots. It is considered that this mix of dwellings fits with the aims of PPS3 to help provide a mixed community.
- 15. Whilst comments from Sport England are noted, the issue of monies being provided towards sports facilities was not addressed at the outline stage. The requested section 106 contribution cannot therefore be considered as part of this reserved matters application.
- 16. On the basis of the above the principle of development remains acceptable and the development is subject to the material planning considerations set out in this report.

Character of the area;

- 17. PPS1 and PPS3 encourage high standards to design within developments to help develop attractive places with a sense of place. The application proposes a mix of terraced, semi-

detached and detached dwellings types. These are predominately two-storey in nature, although some contain a room in the room space with a dormer window. The scale of the dwellings proposed are all considered to be in keeping with the Rings development to the north of the site and also with the wider Ingleby Barwick area. This mix of dwellings sizes and types will provide variety within the street scene.

18. The Landscaping principles as detailed on the submitted site plan are generally acceptable; however, various changes are required. These changes have been detailed to the applicants and revised plans to address these changes are being prepared. The final details regarding hard and soft landscaping remains as a reserved matter for future consideration.
19. Overall the proposed dwellings are considered to be in keeping with the style, scale and character of the Ingleby Barwick estate as a whole and will not have a detrimental impact on the visual amenity of the locality.
20. The proposal is therefore considered to accord with saved policies GP1 and HO11 of the adopted Local Plan and national planning guidance in the form of PPS1 and PPS3, subject to revised landscaping details being submitted.

Residential Amenity;

21. Externally, the proposed development exceeds the Council's minimum separation distances of either 11 or 21 meters and it is not considered that the proposed development will be overbearing, cause a significant loss of daylight or loss of privacy to the neighbouring occupiers.
22. The internal relationships between the proposed housing also accords with the council's minimum separation distances and future residents of the proposed development are considered to have acceptable levels of privacy and residential amenity.
23. The proposed development is also considered to have acceptable levels of both formal and informal amenity spaces. With the density levels being within those set out in the in the adopted 2002 master plan for villages 5 and 6, the site is not considered to be overdeveloped.
24. In order to protect neighbouring residential properties from significant amounts of noise disturbance in the medium terms a planning condition has been imposed to restrict the hours of construction activity and delivery of materials to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday with no Sunday or bank holiday working.

Access and Highway Safety

25. The Head of Technical Services has considered the proposed development against an extensive traffic model of the local highway network in and around Ingleby Barwick. The modelling has demonstrated that without signification highway improvement works no further development in Ingleby Barwick would be possible due to heavily congested roads. A comprehensive highway improvement package that would improve the free flow of traffic and allow Ingleby Barwick to be built out has been developed by the Highways Authority. Contributions through section 106 agreements are therefore required to secure the required highway infrastructure. It is considered that subject to these highway mitigation works, this development is acceptable in traffic terms. The proposed works are shown on drawings attached to this report and are estimated to cost £2.6m. Whilst these issues are noted, it is also important for Members to be aware that this application is for reserved matters approval, and the principle of development has previously been agreed.
26. Access into the development will be from the western leg of the four leg 'Sandgate' roundabout that currently only provides access to Barwick Farm. This new access road will form an 'extension' to 'The Rings' so that a through route between Sandgate and the Queen Elizabeth

Way roundabout is created. It is requested that a planning condition be imposed construction traffic not be permitted to access this new development via The Rings in order that existing residents are unaffected by construction traffic.

27. The overall site layout of the development follows, the principles of the Government guidance 'Manual for Streets', (MfS) which include providing active frontages on roads, provision of build outs, varying surface treatments and highway trees. Car parking is provided in accordance with SPD3.
28. A temporary farm access for Barwick Farm is provided and these arrangements are to be maintained until a permanent farm access is resolved as part of future reserved matters applications, the permanent farm access can be conditioned as part of these applications.
29. Appropriate footpath and cycle links are indicated with good permeability around the site. In addition a bridleway exists to the west of the development. Any new 'Rights of Way' (ROW) need to be added onto the Definitive Map and need to be to an acceptable standard for its fit purpose. Planning conditions have also been requested to secure details of all highway surface materials and proposed gradient changes, details of site compounds and temporary car parking during construction, a traffic management plan, wheel washing facilities.

Flood Risk;

30. The Environment Agency have raised no objections to the proposed development and that are not considered to be any significant issues of flood risk with the development.

Protected Species;

31. Natural England note that the principle for development on this site has already been established through the approval of the outline application in the late 1970's
32. As no survey information has been provided they are unable to provide informed and substantive advice regarding whether this proposal may have an adverse effect on legally protected species and habitats. However, Natural England wish to advise the developer that this does not absolve them complying with the relevant wildlife legislation. An Informative is attached in order to address this issue.

Archaeological features;

33. Tees Archaeology have commented that archaeological remains have been identified in this area following the granting of planning consent in the 1970s. On the basis that the developer is willing to carry out archaeological works on a plot by plot basis in line with the written scheme of investigation submitted with the outline planning application (09/3025/OUT), no objections are raised.

Residual issues;

34. Objections have been made in relation to not being informed that the land was a potential development site when properties were bought and also over any potential loss in property values. Whilst these concerns are noted the land in question benefits from the outline approval for Ingleby Barwick. The concerns over any loss in property value are not a material planning consideration.

CONCLUSION

35. On the whole the proposed development is considered to be visually acceptable although minor amendments are required to the landscaping principles. It is not considered that the proposed development will have any adverse impacts on levels of residential amenity, highway safety, flood risk, protected species or archaeological features.

36. On this basis, the application is recommended to be delegated to the Head of Planning for approval subject to accepted revised site plans being received and the completion of a section 106 agreement.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550

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

Stockton-on-Tees Local Plan

Regional Spatial Strategy for the North East

Planning Policy Statement 1; Delivering sustainable development

Planning Policy Statement 3; Housing

Planning Policy Statement 9; Biodiversity and Geological Conservation

Planning Policy Statement 25; Development and flood risk

Planning Policy Guidance 13; Transport

Planning Policy Guidance 15; Planning and the Historic Environment

SPD 6 – Planning Obligations

Planning Application 00/0005/P

WARD AND WARD COUNCILLORS

Ward

Ingleby Barwick West

Ward Councillor

Councillors K Dixon, R Patterson & Jean Kirby