

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
17 MARCH 2010**

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

**09/3025/OUT**

**Land at Sand Hill, Ingleby Barwick, Stockton**

**Outline application for residential development of 150 dwellinghouses**

**Expiry Date 24 March 2010**

**SUMMARY**

As members may be aware 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.

However, by the late 1990's and with development entering the final two villages (no.'s 5 and 6) there was a requirement for a third exit point prior to the commencement of village 5 (as detailed on the approved masterplan) which required huge financial investment. It was argued that there was insufficient traffic justification for the third access and the matter was considered on appeal in September 1999 (ref APP/H0738/A/99/1022028/P7) with the appeal being dismissed.

Detailed discussions followed, which culminated in a Planning Committee resolution in 1999 to approve a number of additional outline applications, where these 'extension areas' released value to provide contributions through section 106 agreements to provide the South Stockton Link Road. At this time the land known as Barwick Farm (now known as Sand hill) was considered as an appropriate 'extension area' and in March 2000 (ref 00/0005/P) outline planning approval was granted and subsequently Sand hill featured within the revised 2002 master plan for villages 5 and

The application seeks outline planning consent for a residential development of 150 executive dwellings. Only the principle of development is sought with all other matters reserved for a future planning application.

**RECOMMENDATION**

**Planning application 09/3025/OUT be delegated to the Head of Planning for approval subject all outstanding matters being resolved, the conditions below and the completion of a section 106 agreement.**

**Approved Plans:**

**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.**

<b>Plan Reference Number</b>	<b>Date on Plan</b>
<b>IB-A-LP-01 REV C</b>	<b>23 December 2009</b>

Reason: To define the consent.

**Reserved Matters - Time Limits:**

02 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later

By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

**Reserved Matters – Details:**

03 Approval of the details of the layout, scale and design of the buildings, the means of access and the landscaping of the site (the reserved matters), shall be in accordance with the details of a scheme to be submitted to, and approved by the Local Planning Authority before development commences.

By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

**Archaeological works:**

04 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.

Reason; The site is of archaeological interest.

**Surface water drainage:**

05 The development hereby permitted shall not be commenced until such time as a detailed surface water drainage strategy has been submitted to, and approved in writing by, the local planning authority. This scheme should be submitted with any reserved matters application for the site.

The submitted scheme must include the following:

1. Detail of the proposed methods of sustainable drainage and attenuation.
2. Detail of the proposed discharge rate (discharge should be attenuated to existing greenfield rates).
3. Demonstration the drainage scheme can operate without flooding at the 30 year storm event plus climate change allowance.
4. Demonstration the drainage scheme can operate without flooding to people or property up to the 100 year storm event plus climate change allowance while retaining all runoff on site.
5. Details of scour protection at discharge location.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure there is satisfactory storage of/disposal of surface water to prevent any adverse affect on flood risk.

**Open space provision:**

**06** 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 POS. 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.

**Existing and proposed site levels:**

**07** *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

**Construction activity:**

**08** *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:**

**09** 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:**

**10** *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*

**HEADS OF TERMS**

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

## **BACKGROUND**

1. As members may be aware 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. However, by the late 1990's and with development entering the final two villages (no.'s 5 and 6) there was a requirement for a third exit point prior to the commencement of village 5 (as detailed on the approved masterplan) which required huge financial investment. It was argued that there was insufficient traffic justification for the third access and the matter was considered on appeal in September 1999 (ref APP/H0738/A/99/1022028/P7) with the appeal being dismissed.
3. Detailed discussions followed, which culminated in a Planning Committee resolution in 1999 to approve a number of additional outline applications, where these 'extension areas' released value to provide contributions through section 106 agreements to provide the South Stockton Link Road.
4. At this time the land known as Barwick Farm (now known as Sand Hill) was considered as an appropriate 'extension area' and in March 2000 (ref 00/0005/P) outline planning approval was granted. Subsequently Sand Hill also featured within the revised 2002 master plan which remains the approved master plan for villages 5 and 6.
5. As a result of the phasing of building within Ingleby Barwick, work had not commenced on Sand Hill and the outline permission granted in 2002 has lapsed. In recent months Council officers have been involved in discussions with Persimmon Homes over the basic principles of the development brief. Members will recall that at the last Planning Committee meeting a development brief for the remaining elements of village 6 were formally agreed.

## **PROPOSAL**

6. The application seeks outline planning consent for a residential development of 150 executive dwellings. Only the principle of development is sought with all other matters reserved for a future planning application.
7. Indicative plans have been submitted in support of the application showing a basic layout and access point. In addition various supporting information has been submitted with the application, including a development brief, traffic assessment, archaeological survey, ecology report and surface water drainage assessment.

## **CONSULTATIONS**

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

### **Natural England**

Thank you for consulting Natural England on the above proposal. Your letter was received by this office on 25<sup>th</sup> January 2010 with the supporting documentation entitled 'An Extended Phase 1 and Protected Species Survey of Sand Hill, Ingleby Barwick', 07/09, E3 Ecology Ltd and 'Tree Report Ingleby Barwick, Stockton-on-Tees', 07/09, Batson Environment and Leisure Ltd.

**Based on the information provided, Natural England has outstanding concerns regarding the proposal at this stage as it considers that further information should be provided with the application to demonstrate whether or not the development would have an adverse effect on species especially protected by law.**

Our concerns relate to bats and our key issues are detailed later in this letter. The protection afforded these species is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System* and updated for European Protected Species within the recently amended Conservation (Natural Habitats &c.) Regulations 1994.

It is the responsibility of the local planning authority to fully assess the proposal in accordance with their duty on biodiversity issues under; Section 40(1) of the Natural Environment & Rural Communities Act 2006; Regulation 3(4) of the Conservation (Natural Habitats &c.) Regulations 1994 and; Section 74 of the Countryside & Rights of Way Act 2000, to ensure that the potential impact of development on species and habitats of principal importance is addressed. It is the responsibility of the applicant to provide this information to allow this assessment to be undertaken. **As the competent authority, the local planning authority may process this application such that it is refused / deferred / withdrawn / suspended until the applicant submits sufficient information to show that the species would not be affected or that potential effects, would be avoided or satisfactorily mitigated.** It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

Surveys, assessments and recommendations for mitigation measures should be undertaken by suitably qualified and experienced persons holding any licences that may be required. Further information about survey methods and mitigation measures may be found on the following web site <http://www.naturalengland.org.uk/conservation/wildlife-management-licensing>.

The local planning authority should normally expect to receive a protected species report with a full description of the proposal, thorough survey for protected species, clear impact assessment, appropriate and detailed mitigation strategy and associated delivery mechanisms.

With regard to this application Natural England has concerns regarding the potential adverse impacts upon protected species and advises that further information or key amendments are made to the supporting information to address these concerns as follows:

- Page 14 of the submitted Phase 1 survey states that “a number of mature pollarded trees along the northern boundary (target note 4) were recorded as having a moderate risk of supporting roosting bats.” The Tree Report suggests the removal of a number of Ash, Willow and Hawthorn tree, as well as the phased removal of poor quality trees with dead wood evident within their canopies.
- From the plans it would appear that the position of target note 4 roughly coincides with the planned position of the vehicular crossing point. Further clarification is therefore required as to the impact the crossing and tree works will have on trees with a moderate risk of supporting roosting bats. If this impact is predicted to be significant further risk assessment and survey may be required.

Any revised survey work submitted to the local planning authority should be assessed by you against the issues raised above. **If the revisions are considered adequate, the local planning authority does not need to reconsult Natural England.**

If the local planning authority feels that any of the issues have not been adequately addressed, they may wish to reconsult Natural England regarding these specific points.

Please note that we will respond within Natural England’s statutory timescales to such consultations.

Although Natural England is technically not a statutory consultee where protected species are involved, Government Circular 06/2005 advises that it 'should' be consulted when a planning authority is considering development proposals likely to harm species or their habitats as listed in Annex A of the Circular. Natural England will therefore provide further advice on receipt of full information which deals with our concerns as listed above.

**Please note that wildlife legislation operates independently of the planning system and any works at this site must comply with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular.**

Further comments received;

Thank you for consulting Natural England on the above proposal. Your letter was received by this office on 5th January 2010 with the supporting documentation entitled An Extended Phase 1 and Protected Species Survey of Sand Hill Ingleby Barwick 07/09 E3 Ecology Ltd and Tree Report Ingleby Barwick Stockton-on-Tees 07/09 Batson Environment and Leisure Ltd.

Further to our letter dated 25th January there are a number of comments about the application in terms of Green Infrastructure.

As this site is very close to the proposed Tees Heritage park we welcome existing proposals for green wedges and corridors and would like to encourage the developer to provide green corridors for cycling and walking from the centre/ several points within the development to the outer boundary of the development so that people in the new development will have easy and environmentally friendly way.

The large Tees corridor is a fantastic green space resource and with good master planning/ design the new residents will have a number of benefits from having easy access via as many access points as possible.

Those benefits would include

- Ø Informal recreation
- Ø Access to natural environment
- Ø Benefits to mental & physical health

You may wish to contact Anne-Louise Orange to make sure your development has the best possibly tie-in with the proposed Tees Heritage Park (address below).

**Association of North East Councils**

Thank you for the opportunity to comment on the above planning application. This letter is an officer response, in order to meet the 29 January 2010 deadline.

Under section 38 (3) of the Planning and Compulsory Purchase Act (2004), the Regional Spatial Strategy (RSS) (July 2008) is part of the statutory development plan. Under the plan-led system, this means that the determination of planning applications will be made in accordance with the RSS and other development plan documents, unless material considerations indicate otherwise.

It is important to note that the advice provided with this letter relates purely to whether or not the proposal is in conformity with the RSS. It does not constitute an objection or expression of support with respect to the application. The local authority should consider this advice alongside other statutory and non-statutory representations in coming to a decision as to whether the development should be granted planning permission.

### Location

The site is located within the Tees Valley city region. The principle of developing this site is therefore consistent with the locational strategy, RSS policy 6. The sequential approach set out in RSS policy 4 gives priority to the development of 'suitable previously-developed sites and buildings within urban areas, particularly around public transport nodes'. The application site is located directly adjacent to the Tees Valley conurbation of Stockton. The site therefore falls within 'sites in settlements outside urban areas' and its development is the lowest priority in the context of RSS policy 4.

### Housing

RSS policy 28 makes provision for approximately 9435 net additional dwellings over the RSS plan period 2004-21 for Stockton-on-Tees. However, given that the RSS allocations are not a ceiling and Stockton-on-Tees is a focus for development in the RSS, this proposal is in general conformity with RSS policy 28.

RSS policy 30 directs that local authorities should ensure that the development proposal makes provision for a range of dwelling types, size and tenure to meet the assessed needs of all sectors of the community. The development proposal involves the construction of a mix of 150 semi-detached, detached, and small terraced dwellings executive dwellings. This broadly reflects the objectives of RSS policy 30.

The development proposal includes the provision of 20% affordable housing. This approach is consistent with RSS policy 30.

### Design

Whilst the design of the proposal is a detailed matter for the local authority to determine, some principles are established in regional planning policy, which the development should adhere to. RSS policies 8 and 24 acknowledge the importance of design and layout in achieving sustainable communities. In accordance with these policies, development should contribute to the strengthening of local communities; make best use of existing infrastructure and services; secure crime prevention; and make efficient use of resources through energy efficiency measures, and the inclusion of embedded renewable energy. The local authority should be satisfied that the design and layout of the scheme contributes to sustainable communities, and aims to reduce the impact of travel demand by maximising pedestrian and cycle links with the surrounding areas.

### Flooding and SUDS

RSS policy 35 requires that, in considering planning proposals, a sequential risk based approach to development and flooding should be adopted as set out in PPS25. The aim of PPS25 is to steer development, particularly uses which are considered more vulnerable to flooding, to areas at the lowest probability of flooding (zone 1). It will be necessary to ensure that the Environment Agency is satisfied that these requirements have been met to ensure general conformity with the objectives of this policy. It is noted that the Environment Agency have objected to the application on the grounds that the applicant has not submitted a flood risk assessment and therefore the application does not comply with the requirements set out in PPS25.

The application does not mention the provision of Sustainable Drainage Systems (SUDS) which can contribute to minimising the risk of flooding, particularly flash flooding, and also contribute to a reduction in water based pollution. Support for the SUDS approach to managing surface water run off is set out in Planning Policy Statement 1, and in more detail in Planning Policy Statement 25 (PPS25). Annex F of PPS25 directs local authorities to ensure that their policies and decisions on planning applications support and complement the buildings regulations on sustainable drainage. The inclusion of such measures would conform with the objectives of RSS policy 34. The North East Planning Body would therefore support the local planning authority in requiring the incorporation of SUDS.

### Energy

The supporting information indicates that the applicants seeks to ensure that 10% of the energy supply for the development is generated from renewable sources. This approach is consistent with RSS policy 38, which requires that, in advance of local targets being set in DPDs, major new development must secure at least 10% of its energy supply from decentralised and renewable energy or low carbon sources, unless having regard to the type and design of the development, this is not feasible or viable.

The proposal does not include any measures to ensure high energy efficiency. This does not reflect the objectives of RSS policy 38, which encourages local authorities to achieve high energy efficiency and low energy consumption in new development, by promoting the achievement of energy efficiency standards established in the BREEAM and the Code for Sustainable Homes.

### Transport

The RSS heavily promotes the use of public transport, walking and cycling. The local authority should ensure that the site is well served by public transport, to improve access to jobs, services and facilities and reduce the need to travel. The provision of cycle and pedestrian access is consistent with RSS policies 7 and 24.

### Conclusion

The proposal to construct 150 residential dwellings is in general conformity with the RSS. However, the local authority should ensure that the development incorporates energy efficiency measures in order to reflect the objectives of RSS policy 39. If planning permission is to be granted, the local authority should ensure that the development is in accordance with PPS25 and includes the provision of SUDS where possible.

I would be grateful if you would inform me of the decision that is made on this application, and the date upon which it was made. Should you have any queries regarding this response, please do not hesitate to contact my colleague Lucy Mo at

### **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 outline permission for 150 residential units. A proportion of the application site (15% - 20%) was identified in the original Masterplan within Village 6, whilst the remaining proportion formed part of an enveloping landscape. It later became part of the 2002 Masterplan revision.

Set in the above context, clearly the Local Planning Authority (LPA) must first be satisfied that the proposed development site is an acceptable Greenfield 'extension area', which does not prejudice other development at Ingleby Barwick and can contribute towards facilitating comprehensive implementation of the Masterplan.

In respect of the type of housing proposed, it is noted that the application is for 'executive' homes. This appears to be in conformity with Policy 8 of the Core Strategy<sup>1</sup> which sets out that a more balanced mix of house types will be required and that executive housing will be supported as part of housing schemes offering a range of housing types.

It is noted that the affordable housing element of the scheme is to be provided off-site in the Ashbrook/Ringwood/Hazeldene area<sup>2</sup>. This provision is understood to be specifically targeted to meet a requirement for socially rented bungalows. The Local Planning Authority (LPA) should be satisfied that the level and type of housing provision is appropriate, in line with the Core Strategy and contributes to addressing local demand. The Agency considers a better alignment of housing supply and demand can have a positive effect on the economy and will allow the region to contribute to the achievement of RES objectives.

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. BREEAM, Code for Sustainable Homes, Building for Life and Secured by Design.

In line with Government objectives<sup>3</sup> 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 and the Design and Access Statement include reference to Policy 39 of the RSS and that the Sand hill development will be in compliance with this 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. 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<sup>4</sup>.

A further area which the Agency can provide information and guidance on, and a key consideration in determining the application and approving the draft development brief, is in respect of electric vehicle infrastructure. As you may be aware, 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 the Agency is

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<sup>1</sup> Stockton On Tees Core Strategy Publication Draft October 2008

<sup>2</sup> See One North East response to application 09/3024/REM

<sup>3</sup> As set out in PPS 22 (Aug. 2004) and its review published June 2006

<sup>4</sup> 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.

aiming to work with key partners to develop electric vehicles infrastructure, which could involve up to 600 charging points being deployed in the region. In consolidating the network it is vital that developers consider provision for charging points within new developments, including within domestic dwellings. Alex Fowler within the Agency's Strategic Economic Change team can provide additional information on this matter and can be contacted on 0191 229 6871.

I confirm that, subject to the resolution of policy, environmental and transportation issues to the satisfaction of the LPA, One North East raises no objection to outline application for the reasons stated above.

### **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 £111,827.

### **Leisure & Sports Development Manager**

It is recommended that the £111,827 requested by Sport England be placed in a Playing Pitch Facility Development Fund (along with 2 other S106 contributions likely to come forward, which will form the basis of a bid to the Football Foundation late in 2010. This match funding could yield further funding from the Football Foundation, along with added value from other funding sources we can glean. Thus we could develop a Playing Pitch Facility Development Fund of between £700-800k to improve the stock of playing pitch facilities across the borough over the next 2-3 years.

In order to reassure Members and the public I can confirm this proposal would include allocating at least the £111k to the improvement of facilities in Ingleby Barwick and although the scope of these improvements are yet to be confirmed, these will be firmed up in the coming months following the completion of the Council's Playing Pitch Assessments (covering Football, Hockey, Cricket and Rugby).

### **Councillors**

No comments received

### **Ingleby Barwick Town Council**

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application no. 09/3025/OUT and would like to raise the following comments:

Ingleby Barwick Town Council object to this application at this stage, as further consultation is required on the proposed development with Persimmon Homes to ensure that appropriate and viable amenities are to be provided with this proposal, as part of the S106 Agreement.

### **Acting Head of Technical Services**

I refer to your memo dated 5/01/10

Reference drawing no: Sand hill indicative layout (no plan ref)  
Tree and hedge survey 005312/03

### General Summary

The Outline Application has been assessed in terms of Highways and Landscape and Visual impacts and has been found to be acceptable subject to the imposition of Planning Conditions and securing the necessary highway mitigation. A S106 Agreement would be necessary to secure these highway works.

### Highways Comments

Extensive traffic modelling has been undertaken on the local highway network in and around Ingleby Barwick. This modelling has demonstrated that without significant 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 improve the free flow of traffic and allow Ingleby Barwick to be built out. A significant part of the proposed mitigation works should be funded from the Reserved Matters application 09/3024/REM for development at Ashbrook/Ringwood/Hazeldene. However, the necessary traffic improvements cannot be achieved until the full highway mitigation works identified in the traffic modelling are complete which requires other improvements including mitigation works at the Thornaby Road/A174 Parkway junction. These are estimated to cost £770,000, In order to accommodate development traffic from this development it is proposed that the works at Thornaby Road/A174 Parkway junction should be funded from this application. These highway works should be included in the Heads of Terms for the S106 Agreement that will form part of any planning approval.

The current application is outline with only Principle of development being considered. The junction access from The Rings to this development is subject to a separate application 09/3024/REM that is considered acceptable.

The overall site layout will be considered as a future Reserved Matters Planning Application and should be in line with the development brief, highway guidance principles and Council Car Parking standards. The development will also be subject to Road Safety Audit procedures.

The principle of this development is therefore acceptable in highway terms subject to highway improvement works as detailed in the Heads of Terms and suitable conditions for Road Safety Audits.

If planning permission for this development is granted then It should be conditioned that construction traffic must access this new development during the construction phase from the southern access to The Rings in order to ensure that existing residents are unaffected by construction traffic.

### Landscape & Visual Comments

Regarding this development the following comments are made:

#### General layout – ref indicative layout plan

With the removal of the open space to the edge of the development the housing is now a denser layout. Maximum use must therefore be made of what space remains for tree and shrub planting and a variety of hard landscaping materials should be used to provide interest within the estate. These materials should follow the palette agreed for the reserved matters application 09/3024/REM for development at Ashbrook/Ringwood/Hazeldene The main areas for landscaping in this respect appear to be at the road junctions within the estate and the home zones (see page 9 of design and Access Statement) and this is supported but must be supplemented by meaningful landscaping along the internal roads within the proposed estate to provided visual amenity.

Full details of the hard and soft landscaping shall be conditioned. It is noted that such materials should follow the existing palette used in Ingleby Barwick to create unified street scene.

### Western site boundary

The mound located just south of this development should be continued but in a much more informal pattern along this boundary to soften views of the estate from the west and be planted with native trees and shrubs allowing filtered views out into the open countryside. The footpath should be integrated within the design of the mound. The character area plan on page 10 of the Design and Access statement gives a sketch idea of this boundary but does not indicate mounding and is very formal in design.

### Northern and Eastern site boundaries

There is large expanse of open space on these boundaries much of which is formed by the valley created by the small beck. A detailed landscape and management plan of this area is requested showing which should show all site levels existing and proposed and including how the proposed new road relates to the area.

Mounding design in a natural organic style should be used to create a buffer between the housing and the open space to the north. The mound should be planted with a mix of native shrubs and trees and the proposed path should be integrated into the design.

### Southern boundary

There is very little in the way of hedging on this boundary except at the eastern end and any remaining weak hedge fragments can be removed - the hedge section on the at the eastern end should be retained up to the existing Rhinog grove.

There appear to be a number of paths at the eastern end of the southern boundary that do not appear to lead anywhere – is the intention to link up this site to the east – the situation needs to be clarified.

### Existing vegetation

The tree survey highlights the unmanaged condition of most of the existing trees and hedges and identified some trees as mature specimens in decline. The wildlife survey identifies the site as low in wildlife value but supportive of local wildlife. The existing vegetation and habitats should therefore be enhanced as part of the landscape management and replanting plan using the measures designed to enhance the biodiversity of the local area stated in both surveys. We would wish to see included detailed management plans for the small copse in the North West corner of the site and management proposals for all the mature trees along the beck side.

### 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

The master plan – plan 7 on page 9 of the Design and Access statement shows public open space either side of the road crossing but does not identify the land forming the beck valley or the strip of land on the western boundary as public open space. A plan should be produced detailing the exact areas the developer would wish to title transfer to Stockton-on-Tees Borough Council and it should be noted that in order to safeguard open space it would be best if all the open land mentioned were title transferred to the council

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**

### **LANDSCAPING – HARDWORKS**

### **EXISTING AND PROPOSED LEVELS**

**ENCLOSURE  
STREET FURNITURE  
SCHEME FOR ILLUMINATION  
LANDSCAPING – SOFTWORKS  
MAINTENANCE- SOFTWORKS  
ON SITE PUBLIC OPEN SPACE**

**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.

□ 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.

**Head of Housing**

The Strategic Housing Market Assessment (SHMA) identified a need for 866 affordable housing units per annum across the borough. This was an issue specifically looked at as part of our performance in the Comprehensive Area Assessment (CAA) 2009 and will be subject to further scrutiny in this year's assessment.

It is acknowledged that affordable home provision is often at significant expense for the developer and may detract from much needed infrastructure within Ingleby Barwick. This has been reviewed and we feel that it is realistic to compromise on the mix of affordable housing for a more specific need for 4 to 6 bungalows to be built for people with special needs with remaining provision being for general needs housing.

Whilst the issue of special needs was not referenced in the SHMA it has been picked up as part of the CAA under 'use of resources'. The future direction of travel is to bring people back into the area, currently in out of borough placements and to reduce the number of people living in residential care. To do this we must increase the provision of special needs accommodation in the borough, providing people with the opportunity to have a home of their own, to live independently with support as required.

**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. It is important that Northumbrian Water is informed of the local planning authorities decision on this application. Please send a copy of the decision notice.

#### **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.

#### **CE Electric UK**

No comments received

#### **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.

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

#### **Tees Archaeology**

Thank you for the consultation on this planning application. I have previously been involved with the preparation of the Written Scheme of Investigation for Archaeological Mitigation submitted with the planning application.

I support this document and recommend that it is implemented by means of a planning condition. I set out below the suggested wording for this condition: -

#### Condition

No development shall take place within the area indicated until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority

#### Reason

The site is of archaeological interest.

This condition is derived from a model condition set out in P.P.G. 16. 1990. Archaeology and Planning. DoE

### **Spatial Plans Manager**

Only 15-20% of the area of Sand Hill (SH) is within the original 1979 outline planning permission for Ingleby Barwick (IB) and all of the site appears to be within the Green Wedge. However, Sand Hill was included in a Master Plan submitted by Persimmon Homes and approved by a Special Planning Committee in 2002. This is the Approved Master Plan for Ingleby Barwick so the principle of development has been accepted.

The applicant has provided a supporting planning statement. The applicant asserts (paragraphs 1.5 and 1.6) that the application is consistent with the spatial strategy in the draft Core Strategy DPD. The Core Strategy however focuses housing development in the Core Area. Policy CS1 states, "The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby".

The application site is clearly not a regeneration site. However, the fact that the site unequivocally forms part of the Approved Master Plan is clearly a significant material consideration. This is added further weight by the partnership working between SBC and Persimmon Homes to produce an updated development brief for Villages 6, inclusive of Sand Hill.

### **Council for the Protection of Rural England**

No comments received

### **The Environment Agency**

I write further to our letter of 25 January 2010 and following receipt of further information from the applicant relating to site drainage.

I can confirm that we wish to withdraw our formal objection to the application. Our position in relation to this application is now as follows:

Environment Agency position

The proposed development will only be acceptable if the following planning condition is imposed:

Condition

The development hereby permitted shall not be commenced until such time as a detailed surface water drainage strategy has been submitted to, and approved in writing by, the local planning authority. This scheme should be submitted with any reserved matters application for the site.

The submitted scheme must include the following:

1. Detail of the proposed methods of sustainable drainage and attenuation.
2. Detail of the proposed discharge rate (discharge should be attenuated to existing greenfield rates).
3. Demonstration the drainage scheme can operate without flooding at the 30 year storm event plus climate change allowance.
4. Demonstration the drainage scheme can operate without flooding to people or property up to the 100 year storm event plus climate change allowance while retaining all runoff on site.
5. Details of scour protection at discharge location.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason

To ensure there is satisfactory storage of/disposal of surface water to prevent any adverse affect on flood risk.

Informatives/advice for LPA/Applicant

Drainage can be affected by the layout of development on a site. We would therefore need to see the surface water drainage strategy alongside any reserved matters application dealing with the layout of the proposed development.

The applicant has suggested that the detailed design for surface water drainage would look at incorporating wetlands. We would encourage the use of wetlands not only to attenuate surface water discharge, but also to enhance local wildlife habitats.

#### Foul drainage

Without prejudice to our formal objection, if outline permission were to be granted we consider that the proposed development will only be acceptable if the following measures are implemented and secured by way of a planning condition on any planning permission:

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority.

This condition is necessary because no information relating to the means of foul drainage has been provided and we are therefore unable to assess potential risks to the quality of the water environment. We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

#### Ecology

E3 ecology has carried out an ecological survey as part of the planning application submission. We recommend that the suggestions on habitat enhancements which are outlined in the survey report be adopted as part of the proposed development.

#### Sustainable Energy Use / Renewable Energy Generation

We consider any future planning application 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 Building Research Establishment's Environmental Assessment Method (BREEAM) "excellent" ratings. In addition, we consider the proposed development should have embedded a minimum of 10% energy supply from renewable resources.

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

#### **PUBLICITY**

9. Following publicity of the application a total number of 8 objections have been received. These are detailed below (in summary):-

- Increase in traffic
- No access should be allowed from Marchyln Crescent and surrounding residential roads
- Loss of green wedge



- ❑ Loss of view/ open aspect
- ❑ Lack of open areas and greenery/hedgerows should be retained
- ❑ Impact on wildlife
- ❑ Flooding issues
- ❑ Noise and dirt during construction
- ❑ Boundary issues
- ❑ Impact on privacy and residential amenity
- ❑ Lack of infrastructure to support development (school places, community facilities, play areas)
- ❑ Not informed land was development site when bought property
- ❑ Loss of property value
- ❑ No landscaping mound is shown as there is behind Pennal Grove – inconsistency
- ❑ Impact on the safety of their children
- ❑ Significantly increase the number of people passing by properties on Pennal Grove
- ❑ No need for further housing

**Objectors:**

Ian Chapman - 39 Bronaber Close Ingleby Barwick  
 David Aspery - 33 Bronaber Close Ingleby Barwick  
 Mr R Pangbourne - 33 Pennal Grove Ingleby Barwick  
 Mr and Mrs Eagles - 28 Pennal Grove Ingleby Barwick  
 Mr and Mrs A and G Livingstone - 8 Rhinog Grove Ingleby Barwick  
 Mark Trewin – 5 Arennig Court, Ingleby Barwick  
 Mrs Angela Milburn - 26 Pennal Grove  
 Ian Parsons – 10 Rhobell View, Ingleby Barwick

**PLANNING POLICY**

10. 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).
11. The following planning policies are considered to be relevant to the consideration of this application:-

**Policy GP1:**

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

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

**Policy HO3**

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

- (i) The land is not specifically allocated for another use; and

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

**Policy HO11**

New residential development should be designed and laid out to:

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

**Policy 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 EN14**

Within the following Green Wedges, development will not be permitted which detracts from the open nature of the landscape so as to threaten, by itself or cumulatively, the local identity of the areas separated by the Green Wedge.

- (a) River Tees floodplain from Surtees Bridge, Stockton, to Yarm;
- (b) Leven Valley between Yarm and Ingleby Barwick;
- (c) Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- (d) Stainsby Beck Valley, Thornaby;
- (e) Billingham Beck Valley;
- (f) Between North Billingham and Cowpen Lane Industrial Estate.

**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
- SPD 6 – Planning Obligations

## **SITE AND SURROUNDINGS**

12. The application site is situated within the western area of Ingleby Barwick and is currently used for agricultural purposes. The site lies to the south of Barwick Farm and north of the residential area of Pennal Drive, Bronaber Close and Marchyln Crescent.
13. Given the agricultural use, the site is open and has few landscaping features, however, to the north of the site is a valley with some landscaping features. The total area of the site is approximately 7.9 hectares.
14. Access into the site will be from the distributor road that is to be constructed as part of village 6 and will link to the Rings development.

## **MATERIAL PLANNING CONSIDERATIONS**

15. The main planning considerations of this application are compliance with planning policy, the impacts of the development on the character of the area, residential amenity, access and highway safety, archaeological features, flood risk and protected species.

### **Principle of development;**

16. PPS3 sets out the Government's objectives in respect of new housing development. Whilst the application site is a greenfield site, it is considered that the site is in a sustainable location and will help to meet the government's objectives of providing high quality housing with access to a range of facilities and with good access to jobs, key services and infrastructure.
17. The regional Spatial Strategy makes provision for approximately 9435 net additional dwellings over the RSS plan period 2004-21 for Stockton-on-Tees, these are however, not a ceiling and the proposal is judged to be in general conformity with RSS policy 28. Equally RSS policy 30 directs that local authorities should ensure that the development proposal makes provision for a range of dwelling types, size and tenure. The proposal in allowing executive dwellings and including the provision of affordable housing is considered to broadly reflect the objectives of RSS policy 30.
18. Approximately 15-20% of the area of Sand Hill is within the original 1979 outline planning permission for Ingleby Barwick and all of the site appears to be within the Green Wedge. However, the essential purpose of a green wedge is to maintain the identity of individual areas and not to simply preserve all open land between settlements. It is clear that the relationship between the application site, the existing development within Ingleby Barwick, the width of the Tees corridor and the distances to the settlement of Eaglescliffe will allow for sufficient open area to remain. The proposal is therefore not considered to prejudice the aims of the green wedge policy and that sufficient space will remain between Ingleby Barwick and Eaglescliffe to ensure that the identities of these settlements are preserved.
19. It is also important for members to recognise that Sand Hill was included in a Master Plan submitted by Persimmon Homes and approved by a Special Planning Committee in 2002. The fact that the site forms part of the approved Master Plan is a material consideration and is given further weight by the recent 'approval' by members of an updated development brief for Village 6 and Sand Hill. Given the approved Master Plan and development brief for villages 5 and 6 of Ingleby Barwick, the principle of development is considered to be acceptable, subject to the material planning considerations set out in this report.

### **Affordable housing Provision;**

20. The Strategic Housing Market Assessment (SHMA) identifies a need for 866 affordable housing units per annum across the borough and is an issue specifically looked at as part of

performance within the Comprehensive Area Assessment and will be subject to further analysis this year.

21. As part of this outline planning application a level of 15% affordable housing provision has been agreed. The given the expense of this provision, the Council's Housing Officers have been involved in identifying a suitable affordable housing mix without detracting from much needed infrastructure within Ingleby Barwick
22. It is felt that a reasonable compromise on the mix of affordable housing would be to provide a number dwellings to meet specific needs and for the remainder of the provision being for general needs housing. On this basis it is felt that 4-6 bungalows built for people with special needs will provide accommodation that is badly needed within the Borough, and provide these people with the opportunity to have a home of their own and live independently with support as may be required.
23. Although this need is not specifically identified within the SHMA, it has been highlighted within the CAA under 'use of resources' and will allow for people to move back into the area and reduce the number of people living in residential care. Accordingly the 15% affordable housing provision can be secured through the required section 106 agreements.

**Character of the area;**

24. This application seeks only approval for the principle of development with all other matters being reserved for a future submission. Whilst the design and scale of the buildings are to be agreed, a clear indication has been given that the scale of the development will be a mix of 2-3 storey dwellings, with the two storey units having a maximum ridge height of 8.5m to and three storey units restricted to 10.5m. The recently approved development brief also sets out key principles that the final development will have to adhere to.
25. Overall it is considered that the indicated scale and massing of the dwellings is in keeping with the surrounding area and will not have a detrimental impact on the visual amenity of the locality. The proposed development in terms of its scale and massing is acceptable at this stage and a quality design and layout is expected as part of a reserved matters application.
26. Details regarding landscaping details would form part of a reserved matters application and it is not deemed necessary to secure details of hard and soft landscaping at this stage.

**Amenity;**

27. The surrounding area is made up of residential premises and the proposed development is an extension of this land use. Final details regarding the internal and external relationships of the proposed and existing dwellings will be assessed at the reserved matters stage, as will other residential amenity aspects. It is however, considered that the indicative plans that have been submitted, demonstrate that the level of development proposed can be achieved on the site and ensure that reasonable levels of residential amenity exist for all.
28. It is accepted that in the short-medium term that there may be some noise and disturbance to neighbouring properties during construction, it is therefore suggested that a planning condition be imposed to limit construction activity and deliveries to reasonable hours.
29. An area of public open space (POS) will be located to the north of the residential area. This is clearly marked within the development brief and can be secured through planning conditions and/or section 106 agreements and will ensure space exists for informal recreation.

**Access and Highway Safety;**

30. 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 as any development has the potential to add to the existing 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.

31. Access to the site is from the distributor road within village 6 and the overall site layout will be considered as a future Reserved Matters Planning Application and should be in line with the development brief, highway guidance principles and Council Car Parking standards. It has also been requested that a planning condition be imposed to ensure that construction traffic will not be permitted to access this new development during the construction phase from the completed Rings development to ensure that existing residents are unaffected by construction traffic.
32. Given the above, there are no objections to the proposed development on highway safety grounds.

**Features of Archaeological Interest;**

33. Tees Archaeology have previously been involved with the preparation of the written scheme of investigation for archaeological mitigation submitted with the application. They support this document and recommend its implementation is secured by a planning condition. Accordingly, a planning condition recommended and on this basis the scheme is not considered to have a detrimental impact on the any archaeological features that may exist on the site, in accordance with saved policy EN30 of the local plan.

**Flood Risk;**

34. The Environment Agency have considered the information supplied as part of the application and following the receipt of further information, withdraw previous their concern and objection. It is considered that the proposed development will only be acceptable provided that a planning condition is imposed regarding surface water drainage. Informatives have also been suggested by the Environment Agency in respect of surface water drainage.
35. Given that a planning condition regarding surface water drainage can be imposed on any planning approvals given, it is considered that the proposal does not pose any significant flood risks and accords with Planning Guidance in the form of PPS25

**Protected Species;**

36. Natural England have considered the Phase 1 Protected Species Survey of Sand Hill, submitted with the planning application. Based on the information there are some outstanding concerns regarding the proposal and whether or not the development would have an adverse effect on species especially protected by law. These concerns relate to bats and the fact that this report indicates that a number of mature pollarded trees have a moderate risk of supporting roosting bats and the fact that position of these trees roughly coincides with the planned position of the vehicular crossing point. It is suggested that further clarification is required and if this is predicted to be significant, then further risk assessment and surveys may be required. It is understood that the applicants are currently addressing this issue.
37. Further comments have also been made regarding the green infrastructure of the development. It is noted that the development is close to the proposed Tees Heritage park and the developer is encouraged to provide green corridors for cycling and walking from the centre/ several points within the development to the outer boundary of the development

### **Residual Issues;**

38. Several residents have made comments in relation to not being informed that the land was a potential development site when they bought property their properties and over any potential loss in property values. Whilst these concerns are appreciated the land in question has previously been granted outline planning consent and also features within the 2002 master plan for villages 5 and 6 of Ingleby Barwick. The concerns over any loss in property value are not a material planning consideration.
39. Concerns raised over existing boundaries and ownership are a civil matter and would be a matter for the individual owners and the developer.

### **CONCLUSION**

40. In conclusion the proposed development is not considered to have any significant impacts on the aims of the of the green wedge policy, the character of the area, levels of residential amenity, highway safety, archaeological features or flood risk
41. There are some issues yet to be resolved in relation to protected species and the matter is suggested to be delegated to the Head of Planning for approval subject to this issue being resolved and the completion of a section 106 agreement.

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

### **WARD AND WARD COUNCILLORS**

**Ward** Ingleby Barwick West  
**Ward Councillor** Councillor K Dixon, R Patterson & Jean Kirby

### **IMPLICATIONS**

#### **Financial Implications**

As report.

#### **Environmental Implications**

As Report

#### **Community Safety Implications**

N/A

#### **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