

DELEGATED

AGENDA NO

PLANNING COMMITTEE

Date: 2 FEBRUARY 2011

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

10/2430/OUT

The Wellington Club, Wellington Drive, Wynyard

Outline application for construction of a 50-bedroom, 5 star hotel with ancillary leisure facilities and tennis courts and the construction of 44 executive dwellings.

Expiry Date: 30 December 2010

SUMMARY

This application seeks Outline Planning Permission for the construction of a 50-bedroom, 5 star hotel with ancillary leisure facilities and tennis courts and the construction of 44 executive dwellings on land at Wynyard Golf Club. The application is in outline with all matters reserved.

The site benefits from an outline planning permission for development comprising 150 bed golf resort hotel with ancillary restaurant and conference facilities, crèche, health club, gymnasium and spa and key worker accommodation (21 apartments and 4 Gatehouses); replacement golf club house, golf academy and driving range facilities, associated access, parking and landscaping together with alterations to the golf course layout and formation of new water features and mounding and the formation of a landscaped park/amenity area for residents (07/0770/OUT). This application was approved in June 2007 and a renewal of this consent was subsequently approved in May 2010.

The main planning considerations of this application are the compliance of the proposal with national, regional and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area and Wynyard Park, the impact on the privacy and amenity of neighbouring residents and highway safety, health and safety requirements, flood risk, ecology and nature conservation and other material planning considerations.

It should be noted that the development is on an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise. Development is strictly controlled within the countryside beyond these limits and is restricted to limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. The proposal does not fall within these categories and a judgement is required whether considerations in support of the proposed development are sufficient to outweigh rural restraint policies.

It is considered that there are important material benefits arising from the proposed development with an identified need for top-end executive style homes to accommodate managers and highly skilled people working in local industries but who currently choose to live outside the borough. The

proposed development provides a valuable type of housing not currently well represented in the Borough's housing stock.

It is considered that the proposed development would bring about economic benefits to the Borough and the wider area and as such it is considered these material considerations outweigh the policy objections, which would otherwise apply to the scheme.

The principal of a hotel of this quality in the area was found to be acceptable and the chosen site has been considered sequentially to be the best location and does not prejudice planning policy by being located within the Wynyard area. It is considered that the hotel will bring important economic benefits as a potential tourist destination as well as providing a number of new jobs.

Concerns have been raised by residents and others about the traffic impact on the local roads. It is accepted that the traffic associated with the development will have an impact on the area but the Head of Technical Services has confirmed the road system is capable of accommodating the traffic generated as a result of the proposed development and the Highways agency has raised no objection.

Other matters have been considered in detail and the development as proposed is acceptable in terms of highway safety, it does not adversely impact on neighbouring properties or the ecological habitat and flooding and complies with Health and Safety Executive requirements and on balance it is considered that, the development can be supported and the application is therefore recommended for approval subject to going through departure procedure and also a Section 106 agreement to secure affordable housing, local labour agreement and open space and sports provision

RECOMMENDATION

It is recommended that planning application 10/2430/OUT be approved subject to the signing of a Section 106 Agreement, and the conditions below

HEADS OF TERMS

Employment and Training

To use reasonable endeavours to ensure that ten per cent (10%) of the Jobs on the Development are made available to residents of the Target Area; to use reasonable endeavours to ensure that ten per cent (10%) of the total net value of the services and materials used in the Development are provided by Businesses within the Target Area;

The Owner shall take reasonable steps to procure that any contractor and/or sub-contractor nominate an individual to liaise with the Labour Market Co-ordinator;

The Owner shall liaise with the Labour Market Co-ordinator in order to produce the Method Statement to be submitted to the Council prior to the Commencement Date. The Method Statement shall demonstrate the reasonable steps to be taken for each Job vacancy and opportunity for services and materials to be advertised and available to individuals and Businesses within the Target Area and shall include details regarding the provision of monitoring information to be provided to the Labour Market Co-ordinator

Off Site Open Space, Recreation and Sports Facilities Contribution

To pay the Off Site Open Space, Recreation and Sports Facilities Contribution of £283,324.40 to the Council prior to the completion of the 10th dwelling.

Affordable Housing

A financial contribution equivalent to the provision of nine affordable housing units on site payable on completion of the 10th dwelling. The financial contribution will only be spent on affordable housing, and may be used as a whole or partial contribution to the costs of land acquisition, property refurbishment and remodelling including bringing empty homes back into use and other development costs associated with the provision of affordable housing. The Council reserves the right to make this provision anywhere within the Borough and will be determined taking account of identified needs. The Council will hold the money for a maximum of 10 years from the date it is paid to the Council, after which any money not spent by the Council will be returned.

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CONDITIONS

01. Approval of the details of the access, appearance, layout and scale of the buildings and landscaping of the site shall be in accordance with the details of the scheme to be submitted to and approved by the Local Planning Authority before the development commences.

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

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

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

03. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990. as amended by the Planning and Compulsory Purchase Act 2004.

04. The development shall be implemented in general conformity with the approved Design and Access Statement and illustrative drawing number 100:03b submitted with the planning application and design code as required by condition 5 below unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the Reserved Matters for the access, appearance, layout and scale of the buildings and landscaping of the site to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

05. No development shall commence until a design code setting out the comprehensive design framework for the provision of high quality executive residential dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the design code should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

**06. The permission hereby granted is solely for:
50 bed 5 star Hotel totalling 3030 sq.m (including restaurant and hotel bar)
Associated leisure facilities totalling 2055 sq.m to comprise the following facilities:**

3 external tennis courts
Changing facilities
Health/beauty spa – including steam and sauna area and hairdressing facility
Swimming pool
Gym including dance and fitness facilities
44 detached residences and for no other purpose.

Reason: To define the consent and to enable the Local planning Authority to retain control over the development.

07. Prior to or concurrently with the submission of details relating to reserved matters, further studies shall be commissioned and submitted for approval to determine the current status of protected species and of UK and Tees Valley Biodiversity Action Plan (BAP) habitats and species on the whole site including the Site of Nature Conservation Importance. The survey and assessment of data in the study shall be in accordance with the National and Regional guidelines established by English Nature and the study itself shall include mitigation and enhancement plans based on the precautionary principle. The results of the study shall be used to inform detailed landscape design and management plans consistent with the maintenance of key BAP habitats and species. These plans shall be submitted to the Local Planning Authority for its approval.

Reason: To ensure any protected species and BAP habitats and species on the site are fully protected together with necessary mitigation measures and enhancements as part of the landscape design for the development of the site and also to protect and conserve the nature conservation value of the affected Site of Nature Conservation Importance

08. Prior to the commencement of construction of the buildings hereby permitted, details for the implementation, monitoring and review of a Sustainable Travel Plan for the employees and visitors to the development shall be submitted to and agreed with the Local Planning Authority. Such details shall include proposals to meet the objectives for sustainable travel including: targets for mode share, provision of public transport services, provision for cycling and walking to and from the development site, timescales for implementation, monitoring, reporting on and review of the plan.

Reason: In the interests of sustainable development and to reduce the impact of development traffic on the adjacent road network.

09. Before development commences details shall be submitted to and approved by the Local Planning Authority of a scheme to provide electric vehicle charging infrastructure at designated car parking spaces. The electric vehicle charging infrastructure shall be in place and operational before any buildings hereby approved are occupied.

Reason: To ensure that the development incorporates measures to limit carbon emissions, in the interests of promoting sustainable development.

10. Prior to commencement a phased programme for the development of the Hotel and Residential development shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme

Reason: In order that the Local Planning Authority retains control over the development.

11. The development shall secure at least 10% of its energy supply from renewable energy or low carbon sources, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place within any phase until an energy strategy has been submitted to and agreed in writing by the Local Planning Authority for that phase which includes details of how that phase will contribute towards achieving the 10% requirement for the whole development. Thereafter the agreed scheme shall be implemented in complete accordance with the details of the scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sustainable form of development which secures energy from renewable sources.

12. No construction works shall take place on the external surfaces of any building(s) within any Phase until the materials to be used on external surfaces for that building(s) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

13. No development shall take place within any Phase until details of the means of boundary treatment for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

14. Prior to first occupation within any Phase, a scheme for the provision of street furniture for that Phase, including timescale for delivery, should be submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall be carried out in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

15. No development shall take place within any Phase until details of the means and location for the storage and disposal of refuse for each unit within that Phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and operational requirements of the Local Planning Authority.

16. No development shall take place within each Phase until the details of the service roads, means of vehicular access to each building, footpath and cycle routes and any highway works, including any off-site highway works as may be required within that Phase, together with a phasing strategy for the implementation of these works, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in the interests of highway safety.

17. No development shall commence within each Phase until a scheme for car parking provision for that Phase, including temporary parking for use during the construction period, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

18. No development shall commence within each Phase until a detailed scheme for landscaping and tree and/or shrub planting and grass for that Phase has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities, layout contouring, drainage and surfacing of all open space areas. The works shall be completed in accordance with a phasing scheme to be agreed in writing with the Local Planning Authority. Should any trees or plants, excluding those within privately owned domestic gardens, within a period of five years from the date of planting die, be removed, become seriously damaged or diseased, these shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

19. No development shall be occupied within each Phase until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and public realm areas, other than privately owned domestic gardens, for that Phase has been submitted to and approved by the Local Planning Authority. Soft landscape maintenance shall be detailed for the initial 5 year establishment period. A long-term management plan for all landscape and public realm areas for a period of 20 years should be submitted to and approved in writing with the Local Planning Authority. The landscape management plan shall be carried out as approved, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

20. All trees on site and within 10m of its external boundary shall be indicated on a Site Survey Plan. These trees shall be assessed in accordance with BS5837:2005 Trees in Relation to Construction. The assessment should concur with the latest site plans and include for the following information:

A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm.

A tree schedule as detailed in Ref. 4.2.6 BS5837:2005;

A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.

Details of any ground level changes or excavations within 5 metres of the Root Protection Area (Para 5.2.2. of BS5837) of any tree to be retained including those on adjacent land.

A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.

Reason: To assess the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained

21. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective within a period of five years from the date of planting must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

22. No development shall commence within any Phase until a scheme for the protection of trees (Section 7, BS 5837:2005) either within or within 10m of the site boundary to that Phase has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be appropriately maintained and protected.

23. No development shall take place within each Phase until details of the existing and proposed site levels within that Phase have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to control the level at which the development takes place to protect the visual and residential amenity of the area

24. No development shall commence within any Phase until a scheme of lighting for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter, development shall take place in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

25. No development shall commence until a construction environmental management plan, including a dust management plan, for that phase has been submitted to and approved in writing by the Local Planning Authority including details of earth moving activities, control and treatment of stock piles, parking for use during construction and wheel washing facilities. Thereafter, the construction environmental management plan should be implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

27. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local

Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Unsuspected contamination may exist at the site which may pose a risk to controlled waters

26. 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.

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

27. Any part of the development which is to be used for residential purposes shall be built to Lifetime Homes Standards and achieve a minimum of Level 3 of the Code for Sustainable Homes if commenced before 1 January 2013 and thereafter a minimum of Code Level 4 unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3.

28. A parking and event management plan shall be agreed in writing with the Local Planning Authority before the approved development is brought into use. The plan shall include an agreed definition of what constitutes an event. The approved plan or any agreed variation to that plan shall be implemented to its satisfaction each and every time an event within the agreed definition, is held at the golf resort facility hereby approved

Reason: To ensure adequate parking and visitor control at major events and in the interests of highway safety

29. The route of the public right of way (FP Grindon 13) shall be maintained and kept free of obstruction including construction and building materials, soils, plant and machinery and temporary or permanent buildings, or other external storage during the course of any construction or building works associated with the development hereby approved.

Reason: To ensure that the public right of way is not obstructed by the implementation of the planning permission in the interests of public amenity and safety.

30. The commercial element of the development must obtain at least a very good Building Research Establishment Environment Assessment Method (BREEAM) rating if commenced before 1 January 2013 and a minimum rating of excellent if commenced after that date, unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3.

31. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing

by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

confirmation the scheme will operate without flooding up to the 30 year peak storm event plus climate change allowance.

confirmation there will be no risk to people or property up to the 100 year peak storm event plus climate change

details of the outfall structure

details of how the scheme shall be maintained and managed after completion

Reason : To prevent the increased risk of flooding, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

32. Prior to the commencement of development, a detailed method statement for the removal or long-term management eradication of Giant Hogweed *Heracleum mantegazzianum* on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Giant hogweed *Heracleum mantegazzianum* during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds root stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason Giant hogweed *Heracleum mantegazzianum* is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

Informative

The Proposal has been considered against the policies below and it is considered that there are important material benefits arising from the high quality development and the economic benefits to the Borough and the wider area. As such it is considered they outweigh the policy objections, which would otherwise apply to the scheme.

Stockton on Tees Local Plan (as amended) policies HO3, S2, EN4, EN7C, EN9.

Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS1, CS2, CS3, CS4, CS5, CS7, CS10

Regional Spatial Strategy (RSS) for the North East of England July 2008 policies Nos 3, 4, 6, 10, 12, 16, 24, 25, 27, 34, 35, 37, 38, 39, 40, 54

Planning Policy Statements 1, 3, 4, 7, 9, 22 and 25 and Guidance Notes No 13 and 17.

Planning Policy Statement 9 PPS9 requires that planning decisions should prevent harm to biodiversity interests and should also seek to enhance and expand biodiversity interests where possible. Article 10 of the Habitats Directive, and PPS9 paragraph 12 stress the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

The ponds on site are likely to be associated with great crested newts and other wildlife species.

Informative Appendix 1 of the submitted ecological survey report outlines general issues relating to Giant hogweed, but does not outline the specific option that will be adopted in managing knotweed on site.

Advice to applicant please is aware that should the extension of the ponds require water to be abstracted from the watercourse above the limits specified within your existing abstraction licence, then either a new or amended licence would be required. You can contact our Environment Planning Officer, Eva Diran, on 0191 203 4137 to discuss this matter further.

With regards to land contamination, it is considered that the controlled waters at this site are of low environmental sensitivity; therefore the Environment Agency will not be providing detailed site specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of PPS23 and our guidance Guiding Principles for Land Contamination should be followed and that developers should

- 1 Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2 Refer to the Environment Agency Guiding Principles for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.
- 3 Refer to our website at www.environment.agency.gov.uk for more information.

Please see the following Observations to this proposal for reference:

There is a Major Accident Hazard Pipeline (MAHP) high pressure gas pipeline which runs through this land parcel – (*Feeder 6 – Little Burdon - Billingham*).

No buildings i.e. individual residence, Hotel and associated leisure facilities and clubhouse existing (proposed extension) should encroach within the Easement strip of 12 metres i.e. (6 metres either side of the pipeline – (Feeder 6 – Little Burdon - Billingham).

Any crossing of the pipeline will require protective measures.

If any of the proposed buildings breach the conditions of the easement by the erection of permanent/ temporary buildings or structures, change to existing ground levels, storage of materials etc., then National Grid will take action to ensure that the easement corridor is kept clear. You will of course be aware of the restrictions for developments in close proximity to MAHP Gas Pipelines, under Planning (Hazardous Substance) Regulations 1996; Land Use Planning Rules and PADHI assessment (Planning Advice for Developments near Hazardous Installations). We assume that you will carry out the necessary assessment when considering this application.

Please consult the Technical Specification HS(G) 47 "Avoiding Danger from Underground Services", further details can be found in our specification for Safe Working in the vicinity of National Grid high pressure gas pipeline and associated installations - requirements for third party : T/SP/SSW22. All relevant site staff should make sure that they are both aware of and understand this guidance.

National Grid will also need to ensure that our pipelines access is maintained during and after construction. Pipelines are normally buried to a depth of 1.1 metres or more below ground and further information may be found on the plans provided. Ground cover above our pipelines should not be reduced or increased.

If it is planned to use mechanical excavators and any other powered mechanical plant it shall not be sited or moved above the pipeline.

If it is planned to carry out excavation to a depth greater than 0.3 metres, embankment or dredging works the actual position and depth of the pipeline must be established on site with our representative and a safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline

The digging of trial holes to locate the pipeline must be carried out under the supervision of our on site representative

Excavation works may take place unsupervised no closer than 3 metres from the pipeline once its actual location has been confirmed by a National Grid representative. Similarly excavation with hand held power tools may take place no closer than 1.5 metres away.

To view the SSW22 Document, please use the link below:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW/safeworking.htm>

To view the National Grid Policy's for our Sense of Place Document. Please use the link below:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/>

BACKGROUND

1. The site benefits from an outline planning permission for development comprising 150 bed golf resort hotel with ancillary restaurant and conference facilities, crèche, health club, gymnasium and spa and key worker accommodation (21 apartments and 4 Gatehouses); replacement golf club house, golf academy and driving range facilities, associated access, parking and landscaping together with alterations to the golf course layout and formation of new water features and mounding and the formation of a landscaped park/amenity area for residents (07/0770/OUT). This application was approved in June 2007 and a renewal of this consent was subsequently approved on 12th May 2010.

2. Wynyard Golf Club forms part of the wider masterplan for the comprehensive, mixed use development of Wynyard, which was granted outline planning permission in 1988, for the development of a mixed use 793 hectare site. The Golf Club was granted planning permission in 1993, and has been operational since 1995. The clubhouse itself was granted planning permission in 1995, and has since been extended and altered. The original building was intended to serve as a temporary facility, whilst the club and course was developed, with plans for the final clubhouse to be developed alongside an associated hotel/country club.

PROPOSAL

3. This application seeks Outline Planning permission for construction of a 50-bedroom, 5 star hotel with ancillary leisure facilities and tennis courts and the construction of 44 executive dwellings on land at Wynyard Golf Club. The application is in outline with all matters reserved (see Appendix 1 – Site Location Plan).

4. The proposal comprises two main elements, the hotel and residential. The hotel is proposed to be a 50 bed roomed 5* Hotel totalling 3030sqm (including destination restaurant and hotel bar) with 75 parking spaces. Associated leisure facilities totalling 2055 sqm to comprise; 3 external tennis courts; changing facilities; health/beauty spa – including steam and sauna area and hairdressing facility; swimming pool, gym including dance and fitness facilities along with 75 parking spaces.

5. The hotel would be 3 stories and the associated leisure 2-3 stories.

6. The residential component comprises low density housing within plots averaging one acre and located around the existing golf course. The applicant states that each will be individually designed but within a comprehensive design framework which will seek to ensure that there is uniformity in terms of character, form and appearance across the new housing development to ensure that the dwellings, both individually and collectively, are in keeping with the high quality landscaped setting in this location.

7. A Design and Access Statement accompanies the application which provides some design principles and information on the proposed nature, form, scale and appearance of the development as a whole.

8. Access is from the existing Golf Course access along Wellington Drive and is as consented for the previous 150 bed hotel scheme. Within the scheme vehicular access would be provided from a main spine road which runs through the scheme to a loop at the south eastern end (see Appendix 2 - Illustrative layout plan).

CONSULTATIONS

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

Head of Technical Services

There is an extant Planning Consent for a 150 bed hotel plus leisure facilities. The trip generation for the revised development is less than for the existing, consented development. The trip generation for the housing is from the higher range of TRICS predictions and is therefore acceptable.

The application is outline only and does not give any specific detail on the highway layout as a masterplan only is submitted. The layout must be designed in accordance with the Council's Design Guide and Specification and Supplementary Planning Document 3: Parking Provision in Development. It should be noted that if the development is approved then the highway layout should accord with the principles of the Government guidance Manual for Streets.

Public Right of Way (F/P No.13 Grindon) is located on the eastern side of the proposed development site. In accordance with drawing no. 100:3, confirmation is required from the applicant that PROW will remain open and unobstructed to allow members of the public to use at all times.

No travel plan has been submitted with this application. A Travel Plan should be submitted that includes travel modal share targets, provision for sustainable modes of travel to and from the site, timescales for implementation and details for monitoring, reporting and reviewing the plan, this should be conditioned accordingly.

Should the development be approved, it will be necessary to include conditions regarding construction wheel washing facilities, details of refuse collection and details of the Wynyard Road link for pedestrians and cyclists.

Landscape & Visual Comments

The development includes for housing on open land south of the existing golf course in an area not envisaged for housing in the original master plan. For such an area of housing development to be acceptable in landscape and visual terms it would have to be of a very low density with large gardens which appears to be indicated and a very high quality of hard and soft landscaping. The site lies close to the historic Wynyard Woodland Park and as such a landscape buffer of open space should be provided on the area of land just south of the proposed hotel - east of the existing lake and west of the proposed access road where 3-4 dwellings are indicated in sketch form on the

illustrative master plan drawing ref 100:03. This open space could form part of public open space for the development as there is no provision for public open space within the layout and should be landscaped in keeping with the character of the open historic parkland on the west side with planting on the east side to soften views of the housing from the park.

Boundary treatments must consist of mainly hedges and estate fencing with only limited areas for walls to create a rural feel to the estate similar to the character of the older eastern and central part of the existing Wynyard housing estate and in keeping with the design approach for the Wynyard Estate.

The site is largely open but some mature trees do exist within the site and adjacent to it so a full tree survey is requested for all trees within the development site and within 10 metres distance from the site boundary. All high quality trees identified in the survey must be retained with the development. Maximum use should be taken within the scheme to add new tree planting to the development within gardens as well as the general open spaces such as avenues of large trees such a beech, lime and oak along the feeder roads.

High quality landscape details are requested for the full site as detailed in the condition wording below in the informative section –all the landscape details should conform to the standards laid out in the Wynyard Master plan and existing on other parts of the estate.

Flood Risk Management Comments

The flood risk assessment submitted includes calculations for the existing greenfield runoff and it is also noted that this rate must not be increased by the proposed development. The proposals to build a new hotel, club house facilities, associated parking and residential units will increase surface water runoff over the existing Greenfield runoff rates. Therefore, the applicant proposes to maintain overall surface water runoff rates by incorporating surface water attenuation in the form of ponds/lakes within the development site.

There is no objection to this proposal subject to full details of the sustainable urban drainage scheme being agreed with the Council, this should include detailed design (including construction and lining), drainage calculations, planting/landscaping proposals and management proposals/adoption. We also recommend that permeable surface materials should be used for any footpaths, car parking or any other suitable areas.

Environmental Policy

Energy efficiency and renewable energy supply measures have not been submitted as part of this outline application, they should therefore be conditioned accordingly.

Further comments:-

The revised application is more acceptable in highway and landscape terms as detailed in the comments below.

Highways Comments

The reduction in the number of dwellings will lessen the highway impact, therefore subject to previous comments there is no objection to this proposal.

Landscape & Visual Comments

The revised plan is more acceptable in landscape terms creating a lower density layout.

The reduction in the number of dwellings on the western section of the site adjacent to the historic park boundary and the location of the proposed dwellings away from this boundary (to the east) is especially welcomed.

As stated in the previous comments a landscaped buffer should be provided on this western boundary along the existing track. It is unlikely such a buffer would be of sufficient size to create useable public open space as some of this area indicated on the master plan would have to be used as private garden space and therefore an offsite contribution to open space is requested.

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.

Northern Gas Networks

No objection and standard mains record shown. Refer enquiry to Gas Transmission enquiries team.

Tees Valley Unlimited

Outline application for construction of 50-bed 5 star hotel and 45 executive dwellings, The Wellington Club, Wellington Drive, Wynyard

I refer to your letter dated 15 December 2010 consulting Tees Valley Unlimited on the above planning application.

Tees Valley Unlimited, as a public sector and business leader partnership, seeks to maximise opportunities to develop the Tees Valley's economic assets and promote sustainable economic growth. The Economic and Regeneration Statement of Ambition recognises the need to develop the visitor economy and accelerate investment in tourism. This goes hand in hand with improving quality of place and developing a range of cultural, entertainment and leisure facilities.

A recent study undertaken on behalf of Tees Valley Unlimited and the 5 Tees Valley local authorities (Hotel Futures, February 2009) identified strong potential at Wynyard for a 4 star golf hotel/resort. The study concluded that such a hotel should be draw top end corporate business from Wynyard Business Park and is likely to be able to conferences and other business to achieve high occupancies and average room rates.

It is noted that this application differs from the previously approved larger scheme in that the applicant wishes to propose a smaller, more intimate development building on the success of Wynyard Village and Wynyard Golf Club. Nevertheless it is considered that the type of hotel developments proposed at Wynyard, in association with the golf facilities, could not be developed in the urban core and will be an asset to the Tees Valley sub-region.

The Statement of Ambition also acknowledges the need for the Tees Valley to provide a range of housing that caters for a wide spectrum of needs and aspirations, not least by providing for households identified as being fundamental to Tees Valley's future economy. All new housing should be sustainable in terms of energy demand, use of materials, method of construction, and quality of design, so that they add to the sense of place without adversely affecting the environment.

The 2007 Sub-regional Housing Strategy noted that research had identified an aspirational demand for more 'executive' housing in the Tees Valley, particularly if regeneration targets were to be achieved. The 2008 Strategic Housing Market Assessment recognised the importance of diversifying the current housing stock and generating a mixed housing supply, including the executive/middle/upper tiers of the housing market.

While the Wynyard area is clearly meeting a demand for executive/upper tier housing, Stockton-on-Tees Borough Council should be satisfied that this proposal will not have an adverse affect on the local environment and will contribute to the creation of a sustainable, mixed residential community at Wynyard.

The Environment Agency

No objection to the development as proposed subject to the following conditions being imposed on any permission

Condition Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include

- confirmation the scheme will operate without flooding up to the 30 year peak storm event plus climate change allowance.

- confirmation there will be no risk to people or property up to the 100 year peak storm event plus climate change

- details of the outfall structure

- details of how the scheme shall be maintained and managed after completion

Reason To prevent the increased risk of flooding, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Condition Prior to the commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas except privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements

- detail extent and type of new planting NB planting to be of native species

- details of maintenance regimes

- details of any new habitat created on site

- details of treatment of site boundaries and or buffers around water bodies

Reasons This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

Informative Planning Policy Statement 9 PPS9 requires that planning decisions should prevent harm to biodiversity interests PPS9 Key Principles and should also seek to enhance and expand biodiversity interests where possible. Article 10 of the Habitats Directive, and PPS9 paragraph 12 stress the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

The ponds on site are likely to be associated with great crested newts and other wildlife species.

Condition Prior to the commencement of development, a detailed method statement for the removal or long-term management eradication of Giant Hogweed *Heracleum mantegazzianum* on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Giant hogweed *Heracleum mantegazzianum* during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds root stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason Giant hogweed *Heracleum mantegazzianum* is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

Informative Appendix 1 of the submitted ecological survey report outlines general issues relating to Giant hogweed, but does not outline the specific option that will be adopted in managing knotweed on site.

Advice to applicant please be aware that should the extension of the ponds require water to be abstracted from the watercourse above the limits specified within your existing abstraction licence, then either a new or amended licence would be required. You can contact our Environment Planning Officer, Eva Diran, on 0191 203 4137 to discuss this matter further.

With regards to land contamination, we consider that the controlled waters at this site are of low environmental sensitivity; therefore we will not be providing detailed site specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of PPS23 and our guidance Guiding Principles for Land Contamination should be followed and that developers should

- 1 Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2 Refer to the Environment Agency Guiding Principles for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.
- 3 Refer to our website at www.environment.agency.gov.uk for more information.

Please note that in relation to the proposed development, in so far as it relates to land contamination, the Environment Agency only considered issues relating to controlled waters.

National Grid Transmission Asset Protection Team

National Grid has no objection to the following: Planning Application: 10/2430/OUT - The Wellington Club, Wellington Drive, Wynyard, Billingham. However we would like to make you aware of the following observations when developments are proposed within the vicinity of National Grid Assets.

Please see the following Observations to this proposal for reference:

There is a Major Accident Hazard Pipeline (MAHP) high pressure gas pipeline which runs through this land parcel – (*Feeder 6 – Little Burdon - Billingham*).

No buildings i.e. individual residence, Hotel and associated leisure facilities and clubhouse existing (proposed extension) should encroach within the Easement strip of 12 metres i.e. (6 metres either side of the pipeline – (Feeder 6 – Little Burdon - Billingham).

Any crossing of the pipeline will require protective measures.

If any of the proposed buildings breach the conditions of the easement by the erection of permanent/ temporary buildings or structures, change to existing ground levels, storage of materials etc., then National Grid will take action to ensure that the easement corridor is kept clear.

You will of course be aware of the restrictions for developments in close proximity to MAHP Gas Pipelines, under Planning (Hazardous Substance) Regulations 1996; Land Use Planning Rules and PADHI assessment (Planning Advise for Developments near Hazardous Installations). We assume that you will carry out the necessary assessment when considering this application.

Please consult the Technical Specification HS(G) 47 "Avoiding Danger from Underground Services", further details can be found in our specification for Safe Working in the vicinity of National Grid high pressure gas pipeline and associated installations - requirements for third party : T/SP/SSW22. All relevant site staff should make sure that they are both aware of and understand this guidance.

National Grid will also need to ensure that our pipelines access is maintained during and after construction.

Our pipelines are normally buried to a depth of 1.1 metres or more below ground and further information may be found on the plans provided. Ground cover above our pipelines should not be reduced or increased.

If it is planned to use mechanical excavators and any other powered mechanical plant it shall not be sited or moved above the pipeline.

If it is planned to carry out excavation to a depth greater than 0.3 metres, embankment or dredging works the actual position and depth of the pipeline must be established on site with our representative and a safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline

The digging of trial holes to locate the pipeline must be carried out under the supervision of our on site representative

Excavation works may take place unsupervised no closer than 3 metres from the pipeline once its actual location has been confirmed by a National Grid representative. Similarly excavation with hand held power tools may take place no closer than 1.5 metres away.

To view the SSW22 Document, please use the link below:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW/safeworking.htm>

To view the National Grid Policy's for our Sense of Place Document. Please use the link below:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/>

Private Sector Housing

The Private Sector Housing Division has no objections or comments to make on this applications.

Highways Agency

A review has been undertaken in terms of traffic impact, and in summary the proposals are predicted to generate less traffic than the existing planning consent, and therefore the Highways Agency has no objections in principal to the development proposals.

The Ramblers Association

The development site extends to the lane along which FP Grindon 13 runs for about 100 m.

We ask, if the council is minded to give permission, that the grant be conditioned to require the developer not to interfere with the highway.

Spatial Plans Manager

Thank you for consulting the Spatial Planning team on this application.

Core Strategy Policy 1 (CS1) gives priority to previously developed land in the Core Area to meet the Borough's housing requirement. The remainder of housing development will be located elsewhere with priority given to sites that support the regeneration of Stockton, Billingham and Stockton

Core Strategy Policy 10 (CS10) states that the separation between settlements, together with the quality of the urban environment will be maintained through the protection and enhancement of the openness and amenity value of strategic gaps between the conurbation and the surrounding towns and villages. The proposal will reduce the strategic gap between the built up area of Wynyard and Billingham.

Saved Policy EN13: Limits to Development in the Local Plan sets out the categories of development that may be permitted outside the limits to development. The proposal does not fall within any of the categories.

The proposal is not in line with the general policies set out in the Development Plan. It should be refused unless there are material considerations indicating that it should be granted.

Natural England

Thank you for the additional information relating to this development received by Natural England on 28 October 2010. This information was forwarded to you by the project ecologist and was in response to previous comments made by Natural England on 13 October 2010.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. We are working towards the delivery of four strategic outcomes:

A healthy natural environment;

People are inspired to value and conserve the natural environment;

Sustainable use of the natural environment;

A secure environmental future

We have considered the proposal and additional information received against the full range of Natural England's interests in the natural environment but our comments are focussed on the following specific matters:

Natural England would normally expect to see ecological survey work completed prior to outline planning permission being granted. This allows species to be accommodated within the development design. For this application we are in the unusual situation of seeing survey work after this stage has passed. When the principle of development at this site was approved, ecological survey work had already been undertaken. The potential impacts on protected species was considered by the planning authority and accepted at this time, however it is difficult for Natural England to provide comments when we did not see this original information. As the local authority have now requested that we assess the information so far, our advice is as follows:

Bats

Natural England accepts that the tree surveys were carried out in September 2010 which is still within the optimal period and that there was a previous survey of the trees for bat roosts in July 2007. In Appendix 2 of the Extended Phase 1 Survey, it does say that high risk trees should be surveyed for bat emergence, during the active period before felling. When this proposal is finalised and the development is due to go ahead, it would be sensible to space out future surveys across the active period with recent survey work being undertaken at the end of the season. We acknowledge the correction of the legislation regarding this species. Because there is no demolition of buildings involved in the proposal and we acknowledge that tree surveys have been carried out as far as practicable and precautions are in place prior to felling of high risk trees we accept the situation with regard to bats.

Badgers (CONFIDENTIAL)

No signs of badger were observed during surveys carried out at this site. Remaining text is confidential in nature.

Great Crested Newts

Natural England accepts that previous Great Crested Newt surveys were carried out in 2007 and cannot assess whether they were completed to guidelines as no survey methods are shown in the data provided. We also note that surveys will be undertaken between March and June 2011 to inform the reserved matters application for this site. We acknowledge the correction of the legislation regarding this species.

Natural England would need to know how the original surveys were carried out in order to advise if they were adequate.

Breeding Birds

In the latest information provided by the ecologist it is stated that the walkover and risk assessment of the site for birds has shown that as a worst case scenario there is a risk of a number of BAP species being present at this site and this is what the mitigation in the report is based on. Any loss of habitat is to be mitigated for and areas of coniferous and semi-mature woodland to be enhanced. It is also stated that bird species will be protected across the site through careful timing of works and that breeding bird surveys will be undertaken to inform the reserved matters application, to allow input into the detailed proposals. The planning authority needs to be confident that this is deliverable within the planning system. Natural England welcomes any enhancements to habitats that will benefit bird species. From the additional information provided Natural England accept that no harm is likely to bird species on the site.

Otters & Water Vole

From the information provided with the consultation these species do not appear to be an issue on this site.

Please note that if planning permission is granted, the applicants should be informed that this does not absolve them from complying with the relevant law protecting species, including obtaining and

complying with the terms and conditions of any licences required, as described in Part IV B of *Circular 06/2005*.

Giant Hogweed (*Heracleum mantegazzianum*)

Due to the potential harm to native species, Giant Hogweed is listed on Schedule 9 and subject to section 14 of the Wildlife and Countryside Act 1981, which makes it an offence to plant, or cause this species to grow, in the wild. Both the Police and local authorities have enforcement functions for the 1981 Act. Any Giant Hogweed contaminated soil or plant material that needs to be disposed of is likely to be classified as 'controlled waste' under the Environmental Protection Act 1990 and has to be disposed of at licensed sites or by burning on site.

Advice on managing controlled waste and the use of pesticides near water can be obtained from the Environment Agency on their customer services line; 08708 506 506.

Survey work undertaken located Giant Hogweed within the site to the north, east and southern edges of the large lake at the western boundary and towards the southern boundary of the site within an area of coarse unmanaged grassland. It is important that the spread of Giant Hogweed in the wild is controlled at the earliest opportunity to avoid a negative effect on local biodiversity. Therefore Natural England would recommend that further surveys be carried out prior to the development commencing to locate all stands of Giant Hogweed, on and immediately adjacent to, the site. Natural England notes that the ecologist has already prepared a method statement for the control of this species. This method statement should be strictly adhered to and made a condition of planning permission (if granted).

It is difficult to provide advice when planning permission has already been granted and we cannot see how this advice would feed into the process. If Natural England had been consulted at the outline stage and had felt things to be satisfactory we would have requested conditions to be attached to the permission. As it stands we did not feed into any conditions or reserved matters for this development and therefore we cannot comment.

The advice given by Natural England in this letter is made for the purpose of the present consultation only. In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be included as a consultee in relation to any additional matters to be determined by Stockton-on-Tees Borough Council that may arise as a result of, or are related to, the present proposal. Natural England retains its statutory discretion to modify its present advice or opinion in view of any and all such additional matters or any additional information related to this consultation that may come to our attention.

Further response:

I looked at the 2007 report and the report states that surveys were carried out to guidelines between March and June 2007 which is acceptable and describes that detailed great crested newt surveys were undertaken and that this species was not found in the ponds. The methods of the surveys that would be used are described on page 11 & 12.

The standing water and ponds are described on pages 18 and 19 along with the HSI scores identifying which ponds were most at risk of hosting this species. However, I can't find anywhere in the survey results stating which methods were used for each separate pond, or if all methods were used for all ponds, and if some methods were not used for any reason, so I am unable to comment on this.

I have copied in Gregory Archer to this response as it will be up to the planning authority if they accept that surveys have been carried out to guidelines for this planning application. Checks were made in 2010 and the situation did not appear to have changed and updating surveys are to be carried out as part of the reserved matters application next year.

Further response:

The information provided by James Streets on the surveys for Great Crested Newts for the above site appear to be in line with recognised guidelines for this species.

Development and Regeneration

From a regeneration perspective, this is an exciting development which will help to raise the profile of Stockton Borough, and provide a high quality residential and leisure environment suitable for attracting high wealth individuals and families which will be important, and is in keeping with our aspirations for the Tees Valley as detailed in the Statement of Ambition to generate new businesses both in the low carbon sector of the economy and in our approach to diversifying the economy.

The proposed 5 star hotel in particular provides a product which does not exist in the Borough at present, and we are generally short of quality hotel accommodation. A 5 star graded hotel with proposed leisure facilities and catering facilities would serve not only to support the proposals to achieve destination status for the Golf Club, but would provide facilities for the local Wynyard community and would also add to the quality offer in the Borough as a whole.

With regard to the housing proposals, the description of executive housing does not do justice to the type of residents proposed. This amounts to a comparatively small number of 50 homes each with a value proposed in excess of £1m. In this location is the type of offer we believe would be suitable to attract business people with growth companies and Directors of large multi nationals who would be working in many of the industries we are seeking to further develop around the chemicals, processing and low carbon industries. Such an offer is only available in limited supply currently in the Borough and so would be an important factor in our Regeneration Strategy and offer.

I attach at Appendix 1 details of the need and demand for executive housing in Stockton.

Appendix 1

Need and Demand for Executive Housing in Stockton

Extracts taken from the Tees Valley SHMA 2009 –

A Strategic Housing Market Assessment (SHMA) was published in 2009. Whilst the SHMA did not directly seek to investigate the need and demand for executive housing, the evidence collated highlighted that a need and demand does exist in the Tees Valley.

Evidence shows that 25.7% of in-migrants to the Tees Valley aspire to larger dwellings (4+ bedrooms) suggesting a demand for executive housing from those seeking to relocate within the Tees Valley from elsewhere.

People migrating out of the Tees Valley into North Yorkshire tend to be high income households who move into owner-occupied detached properties. 29.1% cited the reason for moving was to locate to a better area. The report goes on to say that this may be indicative of a lack of available executive housing in the areas within Tees Valley that have potential to offer the locational attributes such households are looking for.

Evidence shows that executive housing developments in the Tees Valley have been successful in attracting and retaining highly skilled and entrepreneurial people. Notably research by the Centre for Urban and Regional Research at Newcastle University indicated that some 40% of the residents of the Wynyard development own or part own a business. Furthermore, 40% of its residents were purchasers from outside the Region who may not have otherwise chosen Stockton

as a place to live. The lack of supply of executive housing is considered to be acting as a barrier to economic growth and in-migration in the Region.

Whilst the Core Strategy places an emphasis on the transformation and strengthening of our urban centres, there is already a committed supply of executive family housing in locations which support these aims.

The executive housing being proposed for Wynyard is not standard family housing - it is a very different product and would provide an opportunity to develop an attractive housing offer for the borough at the very high end of the executive housing spectrum.

Core Strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision

Affordable housing provision within a target range of 15-20% is required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more with a mix of 20% intermediate and 80% social rented tenures. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.

However in view of the high value of the executive homes and the lack of access to public services it would be inappropriate to ask for the affordable housing provision to be delivered on site and the LA would seek off site provision or a commuted sum.

Health and Safety Executive

Does not advise, on safety grounds, against the granting of planning permission in this case.

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 (Development Management Procedure) (England) Order 2010 which came into force on 1st October 2010. It is considered that the proposed development falls within Criterion C of the Agency's notification criteria, which were sent to local authorities in October 2005, namely:

All retail, casino and leisure, theme park, sports venues, employment or industrial and commercial development of over 10 hectares and / or 2,500 sq m floor space.

As you are aware One North East is currently 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 application seeks outline consent for a 50 bedroom, five star hotel with tennis courts and associated leisure facilities, and construction of 50 executive homes, at a site located along the western and southern edge of Wynyard Golf Club, at the southern extent of Wynyard Village.

The site has an extant planning consent for the development of a 150 bed golf resort hotel with ancillary restaurant, conference facilities, crèche, health club, gym, spa and key-worker accommodation. Planning permission was first granted for the scheme in August 2007 (application reference 07/0770/OUT) and consent was subsequently given in June 2010 (application reference 10/0476/RNW) to extend the time limit for implementing the permission.

The principal changes to the scheme relate to the addition of 50 executive homes and the significant reduction in the scale of the hotel. It is also understood that the current scheme no longer incorporates the formerly planned replacement golf clubhouse, new golf academy and driving range facilities. However, it is noted that a separate application is planned to enhance the existing golf clubhouse.

One North East responded to both of the former applications. As stated in the previous responses, the high quality hotel element of the scheme accords with the broad thrust of the RES to provide improvements in the quality and quantity of visitor accommodation and facilities in the region. The hotel could contribute towards increasing visitor numbers and visitor spending and furthermore, the Agency welcomes the private investment the proposals represent.

The Agency recognises that, whilst the principle of development of a larger scale golf resort hotel on this site has been established by the extant planning consent, the Local Planning Authority (LPA) will need to consider the changes now proposed in the context of the current policy context¹. The LPA should carefully consider the case made for housing and should be satisfied that the applicants have provided sufficient evidence to justify the inclusion of this element within the development.

To reiterate One North East's previous comments, the RES promotes the need for quality of place within existing and proposed development. It is noted that the previous outline planning permission included a range of conditions with regard to achieving high standards such as a 'Very Good' BREEAM rating and Code for Sustainable Homes Level 3 and also delivering at least 10% of electricity from renewable sources. One North East fully supports such an approach and would encourage the applicant's consideration of such issues from the outset.

In addition to the above, as identified previously, there is major activity in the North East to ensure the region is the first to have a comprehensive electric vehicle charging infrastructure in place. Clearly, from a strategic point of view it would be beneficial if this facility was to have charging points in place. Alex Fowler within the Agency's Innovation and Business Development team can provide further information and guidance in this respect, including potential sources of funding support. He can be contacted on 0191 229 6871.

Subject to the satisfactory resolution of the above policy, environmental and highway issues and in the event that the Local Planning Authority (LPA) is minded to approve the application, One North East would raise no objection to the application. We would however urge the LPA to control issues relating to the satisfactory delivery of the scheme, including potential phasing to ensure the delivery of the hotel, through the imposition of appropriate conditions or legal agreement.

The Agency requests that, in the event of planning permission being granted, any subsequent application for reserved matters approval should also be forwarded to the Agency for comment.

Hartlepool Borough Council

Hartlepool Borough Council has no objections to the scheme and trust that the application will be determined in accordance with National Planning advice and regional and local development plan policies which apply in the area unless material considerations indicate otherwise.

Hartlepool Borough Council's Ecologist has advised that it is not clear that the mitigation proposed to address impacts on biodiversity in the report entitled "An extended phase 1 and protected species survey" by E3 Ecology Limited would actually compensate for any losses let alone add to biodiversity. For example there is likely to be very little opportunity to create grassland on the existing golf course. In order to ensure that the development does add to biodiversity he has

recommend that something of the nature of an ecological balance sheet is produced which quantifies the amounts of the various habitats that would be lost or affected by the development and quantifies the amounts and types of biodiversity gain. This could then be used to assess whether the application would add to biodiversity and could be conditioned as part of the development. In particular, given that this site is of County importance for amphibians, a very significant positive measure would be the creation of small ponds that are more suitable for amphibians than the large ponds that are currently on site.

Hartlepool Borough Council's Community Safety Officer has advised that in bringing forward the detailed proposals the security of the site and the wider area should be taken into account.

The potential for gaining developer contributions towards the improvement of the links to and from the trunk road (A19) and improvements to the public transport links should be considered.

Grindon Parish Council

Overdevelopment of golf course (housing at Wynyard to capacity already) & would create extra traffic.

English Heritage

Our specialist staff has considered the information received and we do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Sport England

As the proposal does not have any impact on sport facilities or playing field, Sport England has no comments to make.

Redcar & Cleveland Borough Council

No objections to the proposed scheme.

Middlesbrough Borough Council

Middlesbrough Council have no objections to the proposal, however if you are minded to approve the application I would request a condition to limit the density of the housing development to be as currently proposed (i.e 50 houses at 1 per acre). I would ask that Middlesbrough Council is consulted on any Reserved matters application, or subsequent applications to change the density of the proposed housing.

Stockton Council's Sport Development Officer

The development will enhance leisure provision within the sub-area and as mentioned will provide leisure facilities (within the Hotel) for the community. Currently the closest facilities currently are likely to be found in Billingham. Also presumably a facility within the village of Wynyard which is provided by the private sector and is in walking distance for the community will reduce the carbon footprint of those who might otherwise have travelled out of the village to visit leisure facilities.

The addition of the facilities at the golf course do in my opinion enhance the current offer significantly (as per point 5.13) (along with associated employment this new development will bring) which could 'hopefully' in the future lead to greater spend from golf tourists and the opportunity to attract golf tournaments of standing to the borough, as we already have a track record for doing this with the Seve Trophy in 2005.

PUBLICITY

10. The application has been advertised as a departure as it is contrary to the adopted development plan. If Committee were mindful to approve then the application would need to be referred to GONE.

11. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement. This included an exhibition and a letter drop distributed to residents and golf club members.

12. Local residents have been individually notified of the application and it has also been advertised on site and in the local press and any comments received are set out below: -

Mr K Morrell, 10 Fulthorpe, Grove Wynyard

Unnecessary increase in traffic. Unnecessary change of use of land from golf course to housing.

Joan Stainsby, 8 Embleton Grove, Wynyard

The access roads in Wynyard are not adequate for the increased traffic if this proceeded.

Mr T Howard, 19 Embleton Grove, Wynyard

We have no objection to the overall plan. However, there are concerns over the amount of construction traffic that will be required to access the site (via Wellington Drive). This will be required for a long time bringing disruption, dirt and danger to residents. Can I suggest a temporary grant of access to the proposed site from Wynyard Road.

Mr and Mrs Richardson, Warren Lodge, Wynyard Road

How can the general public trust Jomast Construction to stick to any outline application when additional executive house has been squeezed into the small area between our property and the proposed new road to the estate. Thus blocking the remaining views from our property and removing the opportunity to be included within the new community and gaining access to the new facilities for residents. In the revised statement properties are given approximately 1 acre so why add another property in this position when there is a property on an expansive plot to the right.

Our very private family home that we have nurtured over the past 10 years and is admired by friends and visitors using the 16th hole of the golf course and the fantastic views that come with it being desecrated by this new plan. At no point have we been invited to discuss these plans with the land owners as one of only two home owners directly affected by this application.

We did not object to the original application for the housing due to the care and consideration that was given in the landscaping and general impact that the development had on our property and privacy.

The addition of an extra property in an outline planning application directly to the rear of Warren Lodge on land that was originally promised to ourselves during the original application so that we could protect our property from future flooding (which has now been confirmed by Zurich Insurance as coming from the drainage pipes carrying excess rain water from the Wynyard Estate through the development area).

Extra property squeezed behind Warren Lodge right up to our boundary on revised plan. Further objection comments to follow.

Richard Collins, Parkside Manor, Wellington Drive

I write to express my strong objections to the above-mentioned planning application which is currently under consideration by Stockton Borough Council.

England & Lyle Ltd have reviewed the planning application on my behalf and have written to you separately setting out their professional view that the proposed residential development is unacceptable in planning policy terms and that there are no overriding material considerations to justify a grant of planning permission in this instance.

This letter sets out my detailed objections to the scheme as an adjoining land owner.

My objections relate to matters of residential amenity, safety, animal welfare, ecological matters, landscape and highway safety issues.

Residential Amenity

Whilst I appreciate that the submitted masterplan is for illustrative purposes only, it would appear, given the constraints of the application site directly to the north of my property, that dwellings will be located in very close proximity to my northern boundary. Given the size of the proposed dwellings it will be inevitable that their occupation will give rise to detrimental overlooking issues from the habitable rooms upon the amenity that we currently enjoy. Moreover the external amenity areas of the properties will also give rise to detrimental overlooking issues. This is totally unacceptable.

Animal Welfare

I purchased Parkside Manor for a number of very specific reasons, the main reason being that it had in existence the necessary stable accommodation for my personal thoroughbred racehorses, which includes a number of stud horses. Moreover it is in a relatively isolated location which ensures that disturbance to them is kept to an absolute minimum.

Officers and Members will be aware that race and stud horses have significant variations in temperament and can be very aggressive at times. At present the stables and grazing land are well detached from nearby residential properties and are subject to very little disturbance. The proposed development would result in the provision of dwellings, which are likely to have young children, in close proximity to my stables and grazing land which are used by my horses. I feel that there is a significant risk of the horses being frightened from the noise and disturbance arising from the proposed residential properties, to the detriment of their welfare. There are very significant safety concerns associated with any person (in particular young children) entering the fields with the horses. In addition, where necessary, the horses are contained by way of electric fencing which could of course cause injury to any person touching it.

Ecological Matters

I understand that Natural England have objected to the above-mentioned planning application due to a lack of information regarding the impact of the development proposals upon legally protected species, in particular Great Crested Newts, Bats and Breeding Birds.

The land to the north of Parkside Manor has not been maintained for a number of years and as such has developed significant ecological value. This is evidenced by the wild flora and fauna present on the site.

Having lived at Parkside Manor for a number of years I am aware of the following in and around the application site (land to the north of Parkside Manor):-

- Bats
- Common Frog and Toad
- Great Crested Newts
- Badgers
- Barn Owls
- Buzzards
- Wild Birds
- Pheasants
- Partridges
- Snipe
- Curlew
- Wild Flowers

I understand that the full impact of the proposals upon the ecological value of the site, must be assessed, at the appropriate times of the year, prior to any planning permission (outline or detailed) being granted. This does not appear to be the case in this instance and any decision to approve the application without the necessary information and assessments could be subject to challenge.

Access / Highway Safety / Congestion

I have a right of access along the western boundary of the application site leading to Wellington Drive. I have serious concerns that the proposed development will generate a significant amount of traffic onto Wellington Drive at peak times to the detriment of highway safety. Officers will already be aware that the corner access onto Wellington Drive, adjacent to the Kennels, serves Wynyard Hall, the Golf Club Maintenance Facility and now a stand alone B1 office development. As such at peak times it can be dangerous to enter and exit the junction.

I am very concerned about the applicant's underestimation of vehicle movements associated with the proposed development at peak times set out in the planning application. If 50 executive dwellings are erected, given the lack of employment and educational facilities at Wynyard Village, it is more than likely that there will be at least one vehicle movement per household at peak times during the working week. Whilst I accept that the movements associated with the hotel and leisure facilities will be different from the residential, it must be accepted that the A689/A19 corridor is already at capacity at peak times. Notwithstanding any extant planning consents relating to larger hotel and leisure developments on the site, the vehicle movements associated with an additional 50 substantial family sized dwellings will exacerbate existing conditions.

Character of the Landscape/ Registered Park & Garden

The proposed development will have a significant impact upon the character of the landscape. It will change the shape of the settlement of Wynyard and result in significant sprawl into open countryside. It will bring about substantial built development in the setting of a Grade II* Registered Park & Garden of Wynyard Hall (Grade II*) to the detriment of its character, openness and historic interest. Wynyard Hall and its surrounding Registered Park & Garden has up until now, save for the erection of the Golf Course Maintenance Building, been well conserved as part of the residential development at Wynyard Village. This will not be the case with the proposed development. This would be in direct conflict with Policy EN9 of the Stockton Local Plan and National Planning Policy (PPS5).

High Pressure Gas Pipeline

It is my understanding that a High Pressure Gas Main (6 Feeder Little Burdon to Billingham) runs through, or in very close proximity, to the application site. There does not appear to be any information submitted with the planning application that identifies the location of the pipeline, the standard (thickness) and depth it is constructed to and a demonstration of the stand off distances (blast zones/wayleave) etc. Officers will appreciate that these are essential considerations in this instance. Given the high pressure of the pipeline, any damage to it will have catastrophic consequences, in particular if the pipe is not thick walled any damage will cause it to 'unzip' over a considerable distance.

Detailed discussions with HSE and National Grid are imperative in this instance. As you will appreciate any potential impact upon a high pressure gas main would cause myself and my family grave concerns. It is on this basis that I ask that you keep me informed of progress on this matter.

Conclusion

In summary I am totally opposed to the development of this site. I understand that the application has been made in outline form, however the scale and amount of development has been clearly indicated within the submission. It is for the reasons that I have set out above that I consider that the proposed development is wholly inappropriate in this location.

I will fully challenge any decision to approve this planning application.

Please keep me updated of the progress of this planning application. I wish to reserve

the right to address the Planning Committee should the application be considered by them.

Dr A R Mandal, 3 Wellington Drive, Wynyard

Wellington Drive has a large volume of traffic to the golf club members and corporate games and to Wynyard Hall restaurant and hotel. Construction of another hotel and 50 houses will further increase the traffic which will be intolerable. I strongly object to the application.

Mr Fletcher, 27 Wellington Drive, Wynyard

Comment – not an objection. Traffic problems on Wellington Drive due to increased use (access and exit) 50-bed hotel, 50- houses (more than one car per household), leisure facilities, Tennis courts, staff for all above and deliveries etc. Could not an access be made by Wynyard Road off the A177?

Mr & Mrs Morrell, 10 Fulthorpe, Grove Wynyard

Change of use to housing-if not stopped in principle now how can we stop further house development. Unnecessary increase in traffic. Unnecessary change of use of land from golf course to housing.

Mr M S Millman and Mrs M Jones, 17 Wellington Drive, Wynyard

Object to access being from Wellington Drive.

Cameron Hall Developments Ltd, Wynyard Hall, Billingham

We acknowledge that there is a need for more executive housing on the Wynyard Estate, however we consider that all future development within the estate should be incorporated within the master plan for the whole estate and not dealt with on a piece meal basis.

There is now a need for an overall review of future housing development at Wynyard and in particular the provision of community facilities, a primary school, doctor's surgery etc.

In the past we have been informed emphatically by Stockton BC that no more housing would be allowed at the eastern end of the estate.

Wellington Drive was constructed as a secondary access road with traffic calming to serve the eastern housing development of approx. 250 houses, together with access to the golf club, The Kennels, the historic parkland and hall.

We would like to see details of the proposed access off Wellington Drive because the existing access to the golf club is owned by Cameron Hall developments and only has rights of access to the golf club. We do not think that a satisfactory access can be constructed at this location.

Although this may not be a planning issue, we cannot understand how a new hotel can be located very close to a large diameter high pressure gas main. In the past we have been informed by National Grid that such developments would not be allowed within 52 metres of a national transmission gas pipeline.

We would like to see details of the proposed drainage, as we are not aware of any foul or surface water sewers within reasonable proximity of the development.

Mr and Mrs C Steel, Bradley Farm, Sandy Lane West

We object to the proposed development due to:-

The increase in surface drainage (what happens to the excess water when the lakes over fill?)

The increase in traffic from this development can gain access to Wynyard Road leading to Sandy Lane West (through the golden gates).

The development is out with the original Wynyard development plan.

We do not agree with the assessment that there is a need for more executive housing in this area.

In our opinion there are enough hotels in the area.

Mr. M H Mostafa, 24 Fulthorpe Grove, Wynyard

This development will create heavier traffic, and will cause loss of privacy and parking issues.

Ijaz Muhammad Anwar , 6 Lion Bridge Close, Wynyard

I, Ijaz Anwar, am writing an objection to the proposal of development at The Wellington Club at Wynyard.

Firstly, you are reducing the green site in the area which is the main attraction for people who are buying their properties in this area.

Furthermore, it will increase traffic on the road and a sharp increase in noise and dust pollution particularly during the development stage.

By building a hotel you are reducing the privacy of the residents surrounding the hotel and this is something I feel is unacceptable.

There was an expectation from the residents of Wynyard that there will be a development for a park for the local residents. However, the council seems more interested in housing for financial gains rather than looking at what is best for the area. I fear that the continued development will have a severe negative impact on the community and eventually no more natural sites in the area

H Logan, 9 Wellington Drive, Wynyard

Object to the development on the following basis; The proposed development will further increase the amount of traffic throughout the course of the day/evening/early hours of the morning. There has been a substantial increase in traffic throughout the course of the day/evening/early hours of the morning since Wynyard Hall has been open to the Public. In turn we have suffered an increase in noise from the traffic 24 hours a day.

In the event that Outline planning permission is granted this will set a precedent for all other areas of land on the estate to be developed into residential/commercial use.

In addition England & Lyle Ltd have written on behalf of a resident.

Executive Summary

Due to the proposed 50 new residential properties in the proposed location, the development fundamentally conflicts with the Development Plan in force for the area and there are no material considerations, including the need for Executive Housing in the Tees Valley, of sufficient weight to justify taking a decision contrary to it.

- The site is not located upon previously developed land within the defined Core Area or located within the defined conurbation, where Policy CS1 (The Spatial Strategy) of the Core Strategy requires the Borough's housing requirements to be met.
- The site is not allocated for housing development (Policy HO1 of the Stockton Local Plan)
- The proposal is not for a small –scale, low cost housing development on land adjoining the limits to development.
- The development is not to meet an identified local need at Wynyard.
- The development would not result in the provision of a sustainable, mixed community required by Policy CS8 of the Core Strategy.
- The site is not identified within the defined limits to development identified by the Stockton Local Plan.
- The site has been promoted for development and assessed through the Council's Strategic Housing Land Availability Assessment and has consistently been considered unsuitable for development by Stockton Borough Council due to, amongst other things, its unsustainable location.
- The Tees Valley Strategic Housing Market Assessment identifies that Developers consider there to be a product driven market for executive housing in the Tees Valley and identify broad, much more sustainable locations, for executive housing development in the Tees Valley.
- There is a fundamental difference in the nature of traffic movements between a hotel and leisure development and residential development. The implications for the already constrained highway network could be

considerable.

It is our considered professional opinion that the proposed development is contrary to the Development Plan that there are no material considerations which would override this conflict and that the scheme is therefore unacceptable and should be refused.

I write further to the objection we submitted to you on the 26th October 2010 regarding the above-mentioned planning application. As you are aware from our objections, we strongly objected to the principle of the proposed development, in particular the proposed housing development. It remains our professional view that such a proposal is wholly contrary to the Development Plan in force for the area and should be refused accordingly.

The justification for the proposed residential development put forward by the applicant rests on the need for additional 'Executive Housing' across the Tees Valley and suggests that Wynyard is to most appropriate location to address this need.

As Officers will be aware significant representations were made on behalf of Jomast Developments to the Core Strategy when it was subject to Examination in Public. These representations covered matters relating to the delivery of executive housing.

The Inspectors Report considers these matters and is very clear. It deals specifically with the delivery of Executive Housing at paragraphs 3.18 to 3.23 of the Inspector's Decision Letter. They state –

Type of Housing

3.18 Representors point to the fact that some 53% of housing commitments in the borough are either apartments or terraced dwellings. They consider that this fails to deliver the diverse range of housing types that is required. In their view the lack of detached housing at the upper end of the market (variously referred to as executive housing and aspirational housing) contributes to low demand in the area and fuels two trends, both of which the RSS is committed to reversing; these are out migration from the Borough to the south and to the west into North Yorkshire and the increase in commuting distances.

3.19 However, the supply of committed housing sites is not devoid of dwellings at the higher end of the market. This supply includes sites in areas such as Yarm, Eaglescliffe, Ingleby Barwick which would be suitable for family homes, indeed the Sandhill development at Ingleby Barwick will provide 150 executive homes.

3.20 Moreover, it is by no means clear that the solution to this problem suggested by representors, which is to make more sites available in the rural area, would be appropriate. I share the Council's view that while such sites would be attractive to the market, the creation of enclaves of executive housing in peripheral locations would not be consistent with the aim of promoting inclusive, cohesive and sustainable communities.

3.21 What is more, it is by no means certain that the provision of executive or aspirational homes in the rural area would effectively address all the problems of migration in the area. While it could have some beneficial effect on out migration and on reducing commuting distances, it could also encourage migration from Middlesbrough into Stockton Borough. In the past the presence of developments such as Ingleby Barwick have been a factor in encouraging such migration.

3.22 If Middlesbrough is to retain its population base, the trend in such migration within the sub region is a challenge that needs to be addressed, a point made in the Strategic Housing Market Assessment (CD0099, paragraph 5.20). It does not appear that the provision of more sites for executive or aspirational housing in peripheral locations in the rural area would meet this end.

3.23 Given the fact that the existing supply of housing commitments in the Borough does contain a reasonable range of housing types, including family housing and executive housing and given that the identification of more sites suitable for such housing will not necessarily address the problems associated with all the migration trends in the area, I am satisfied that the DPD will deliver a suitably diverse range of housing types in the period to 2016.

In relation to the suggested need for additional Executive Housing, it is worth pointing out the current situation at Wynyard in respect of executive housing availability. As you will be aware there remains an number of extant consents for additional residential development in the north west portion of Wynyard (Hartlepool). Moreover, there appears to be a significant amount of existing executive residential properties for sale. In a recent sales brochure by Town & Country Estate Agents there are 24No. detached residential dwellings for sale with 4 or more bedrooms. They range from £360,000 to £925,000. Indeed a search of the properties on Right Move (rightmove.co.uk) identifies (as of 15/11/10) that there are approximately 60 detached executive dwellings ranging from £299,995 to £2,750,000 in value. In addition, Bellway have confirmed that they have 11 No. executive dwellings for sale and have a further 56 No. executive dwellings to be built over 3 phases.

Please find enclosed a copy of the Fine & Country sales brochure and a flyer setting out amendments to the prices shown in the brochure. Please note the significant price reductions.

I trust that the above-mentioned matters will be taken into consideration when assessing the development proposals.

PLANNING POLICY

13. 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 Plan is the Regional Spatial Strategy, Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

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

Planning Policy Statement 1 (PPS1) 'Delivering Sustainable Development' seeks to ensure that planning facilitates and promotes sustainable and inclusive patterns of urban and rural development. PPS1 also states that where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

Planning Policy Statement 3 (PPS3) : Housing seeks to secure mixed communities with developments incorporating both affordable housing and appropriate levels of housing. Requires housing to be responsive to local need and designed to a constantly high standard responding to local distinctiveness and reflect wider environmental and sustainability considerations.

Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas' states that new development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled. It also states that planning authorities should ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. PPS7, together with PPS13 'Transport', both emphasise that accessibility should be a key consideration in all development decisions. Most developments that are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking and cycling.

Planning Policy Statement 4 (PPS4) sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas.

Planning Policy Statement 5: Planning for the Historic Environment (PPS5) sets out the Government's planning policies on the conservation of the historic environment.

Planning Policy Statement 9 (PPS9) sets out planning policies on protection of biodiversity and geological conservation through the planning system.

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

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

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

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

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

Supplementary Planning Document : Open Space, Recreation and Landscaping sets out the level of Planning Obligation contributions required for new development and the circumstances in which open space will be required on site.

Supplementary Planning Document 6 : Planning Obligations sets out the Council's approach towards securing planning obligations associated with development within the Borough.

Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.

2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

3. 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 role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

4. The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.

5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.

6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

4. Initiatives related to the improvement of public transport both within the Borough and within the Tees Valley sub-region will be promoted, including proposals for:

- i) The Tees Valley Metro;
- ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
- iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
- iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.

5. Improvements to the road network will be required, as follows:

- i) In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;
- ii) To the east of Billingham (the East Billingham Transport Corridor) to remove heavy goods vehicles from residential areas;
- iii) Across the Borough, to support regeneration proposals, including the Stockton Middlesbrough Initiative and to improve access within and beyond the City Region; and
- iv) To support sustainable development in Ingleby Barwick.

6. The Tees Valley Demand Management Framework will be supported through the restriction of long stay parking provision in town centres.

7. The retention of essential infrastructure that will facilitate sustainable passenger and freight movements by rail and water will be supported.

8. This transport strategy will be underpinned by partnership working with the Highways Agency, Network Rail, other public transport providers, the Port Authority, and neighbouring Local Authorities to improve accessibility within and beyond the Borough, to develop a sustainable

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.

2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.

3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.

7. Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.

8. Additionally, in designing new development, proposals will:

- _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

Core Strategy Policy 4 (CS4) - Economic Regeneration

1. A range of opportunities will be provided within the employment land portfolio to meet the requirement set out in the Regional Spatial Strategy, as follows:

- _ General Employment Land 255 hectares (ha)
- _ Key Employment Location (Wynyard) 70 ha
- _ Durham Tees Valley Airport 50 ha
- _ Land for Chemical and Steel Industries, up to 445 ha

2. The main locations for general employment land will be:

- _ Durham Lane Industrial Estate. 40 ha
- _ Belasis Technology Park 20 ha
- _ Teesside Industrial Estate 30 ha
- _ Urlay Nook 20 ha
- _ Core Area 10 ha

3. Land for general employment uses will be released in phases as follows:

- a. 2004 - 2011 0 ha
- b. 2011 - 2016 60 ha
- c. 2016 - 2021 60 ha
- d. 2021 - 2024 40 ha

4. The target for the annual average development of all types of employment land is 13 hectares over the life of the Core Strategy.

5. To maximise opportunities for the delivery of the Regional Spatial Strategy requirements land will be safeguarded for chemical production and processing, subject to environmental constraints, in the following locations:

- a. North Tees Pools up to 100 ha
- b. Seal Sands up to 175 ha
- c. Billingham Chemical Complex up to 65 ha

If evidence comes forward that the Billingham Chemical Complex (formerly known as the ICI Process Park) is not suitable for these purposes, other specialist uses will be considered, such as reprocessing industries and biotechnology laboratories. These are also suitable locations for the installation of new, or expansion of existing potentially hazardous or polluting industries, although these will need to be sensitively and safely located.

6. Land will also be safeguarded on the north bank of the River Tees in the Haverton Hill and Port Clarence areas. Priority will be given to developments requiring a port or river-based site. No port or river based development will be permitted on, or on land immediately adjacent to, the North Tees Mudflat component of the Tees and Hartlepool Foreshore and Wetlands Site of Special Scientific Interest (SSSI).

7. Employment sites which are viable and attractive to the market will be protected from increasing pressure for redevelopment for alternative uses which may secure higher land values, for example housing.

8. Additionally, support will be given to:

- i) Suitable enterprises that require a rural location and which support the rural economy and contribute to rural diversification;
- ii) The establishment of new enterprises, particularly where related to existing industries, assisting them to evolve with advancing green technologies;
- iii) The expansion of research-based businesses associated with Durham University's Queen's Campus;
- iv) Growth in sustainable tourism, particularly in the following locations:
 - a. The River Tees as a leisure, recreation and water sports destination, with regard given to the protection and enhancement of the character of tranquil areas along the river corridor between the towns of Stockton and Yarm;

- b. Preston Park;
- c. Sites linked to the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution; and
- d. Saltholme Nature Reserve.
- v) The creation of employment and training opportunities for residents by developers and employers.

Core Strategy Policy 5 (CS5) - Town Centres

1. No further allocations for retail development will be made other than in or on the edge of Stockton Town Centre during the life of the Core Strategy.
2. Stockton will continue in its role as the Borough's main shopping centre. Up to 2011, the need for additional capacity can mostly be met through committed developments and the occupation and reoccupation of vacant floorspace. Beyond 2011, there may be a requirement to bring forward new retail developments within the town centre in the first instance, to improve quality and widen the range of the shopping offer in the Borough. The creation of specialist roles for Stockton, for example as a sub-regional historic market town, or through the concentration of a mix of ethnic retailers or small independent chrysalis stores, will be supported. Other initiatives will include:
 - i) Improving the main approaches to the town via the Southern, Eastern and Northern Gateways, through creating new development opportunities and promoting environmental improvements;
 - ii) Promoting a balanced and socially inclusive cultural sector and 24-hour economy across the town centre, particularly in the vicinity of Green Dragon Yard;
 - iii) Providing additional leisure opportunities, and other town centre uses, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth;
 - iv) Improving pedestrian links to the riverside.
3. Billingham, Thornaby and Yarm will continue to function as district centres. Priority to regeneration initiatives will be given to:
 - i) Thornaby centre
 - ii) Billingham centre
 Proposals which support Yarm's specialist niche role in offering higher quality comparison shopping, together with leisure and recreation opportunities will be supported, provided that the residential mix within the district centre is not compromised.
4. Elsewhere, within the local shopping centres of Billingham Green in Billingham, Myton Way at Ingleby Barwick, Norton High Street and High Newham Court in Stockton, and the neighbourhood centres, development will be promoted and supported provided that it complements and does not adversely impact upon the regeneration of the town and district centres, and where it is in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth.
5. The use of upper floors above shops and commercial premises, particularly for residential purposes, will be encouraged, to support the viability and vitality of the centres.
6. The existing roles played by Teesside Park as an out-of-town location, and Portrack Lane as out-of-centre site, are recognised. Whilst no additional retail or leisure development proposals will be encouraged in these locations or any other out of centre locations, any proposals which emerge will be dealt with as under 7 below.
7. Should any planning application proposals for main town centre uses in edge or out-of centre locations emerge, such proposals will be determined in accordance with prevailing national policy on town centre uses as set out in Planning Policy Statement 4: Planning for Sustainable Economic Growth or any successor to Planning Policy Statement 4.

Core Strategy Policy 7 (CS7) - Housing Distribution and Phasing

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:
 - i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
 - ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
 - iii) The priority accorded to the Core Area;
 - iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.

2. No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.

3. Areas where land will be allocated for housing in the period 2016 to 2021:

Housing Sub Area	Approximate number of dwellings (net)
Core Area	500 - 700
Stockton	300 - 400
Billingham	50 - 100
Yarm, Eaglescliffe and Preston	50 - 100

4. Areas where land will be allocated for housing in the period 2021 to 2024:

Housing Sub Area	Approximate number of dwellings (net)
Core Area	450 - 550
Stockton	100 - 200

5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.

6. Proposals for small sites will be assessed against the Plans spatial strategy.

7. There will be no site allocations in the rural parts of the Borough

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).

2. A more balanced mix of housing types will be required. In particular:
 - _ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
 - _ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
 - _ In the Core Area, the focus will be on town houses and other high density properties.

3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare, may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.
5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is provided. This must demonstrate that provision at the standard target would make the development economically unviable.
6. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.
7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.
8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.
9. The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a 'rural exception' site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.
10. The Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy.
11. Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development, are compatible with wider social and economic regeneration objectives, and are conveniently located for access to the University and local facilities.
12. The Borough's existing housing stock will be renovated and improved where it is sustainable and viable to do so and the surrounding residential environment will be enhanced.
13. In consultation with local communities, options will be considered for demolition and redevelopment of obsolete and unsustainable stock that does not meet local housing need and aspirations.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

1. In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

2. Development throughout the Borough and particularly in the Billingham, Saltholme and Seal Sands area, will be integrated with the protection and enhancement of biodiversity, geodiversity and landscape.

3. The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of:

i) Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.

ii) Green wedges within the conurbation, including:

- _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
- _ Leven Valley between Yarm and Ingleby Barwick;
- _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- _ Stainsby Beck Valley, Thornaby;
- _ Billingham Beck Valley;
- _ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

4. The integrity of designated sites will be protected and enhanced, and the biodiversity and geodiversity of sites of local interest improved in accordance with Planning Policy Statement 9: Biodiversity and Geological Conservation, ODPM Circular 06/2005 (also known as DEFRA Circular 01/2005) and the Habitats Regulations.

5. Habitats will be created and managed in line with objectives of the Tees Valley Biodiversity Action Plan as part of development, and linked to existing wildlife corridors wherever possible.

6. Joint working with partners and developers will ensure the successful creation of an integrated network of green infrastructure.

7. Initiatives to improve the quality of the environment in key areas where this may contribute towards strengthening habitat networks, the robustness of designated wildlife sites, the tourism offer and biodiversity will be supported, including:

- i) Haverton Hill and Seal Sands corridor, as an important gateway to the Teesmouth National Nature Reserve and Saltholme RSPB Nature Reserve;
- ii) Tees Heritage Park.

8. The enhancement of forestry and increase of tree cover will be supported where appropriate in line with the Tees Valley Biodiversity Action Plan (BAP).

9. New development will be directed towards areas of low flood risk that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.

10. When redevelopment of previously developed land is proposed, assessments will be required to establish:

- _ the risks associated with previous contaminative uses;
- _ the biodiversity and geological conservation value; and
- _ the advantages of bringing land back into more beneficial use.

Core Strategy Policy 11 (CS11) - Planning Obligations

1. All new development will be required to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements.

2. When seeking contributions, the priorities for the Borough are the provision of:
- _ highways and transport infrastructure;
 - _ affordable housing;
 - _ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

Stockton on Tees Local Plan

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 S2

Proposals for new, or extensions to existing, major retail development outside the Primary Shopping Area within Stockton Town Centre and beyond the boundaries of the District and Local Centres, as illustrated on Proposals Map, will not be permitted unless : -

- i) there is clearly defined need for the proposed development in the catchment area it seeks to serve ; and
- ii) it can be clearly demonstrated that there are no other sequentially preferable sites or premises which are available, suitable and viable to accommodate the identified need the proposed development seeks to serve, starting from sites : -
 - 1) within the Primary Shopping Area within Stockton Town Centre or within the boundaries of the various District or Local Centres defined under Policy S1; followed by
 - 2) on the edge of the Primary Shopping Area within Stockton Town Centre or on the edge of the boundaries of the District and Local Centres within the Borough, then
 - 3) in out-of-centre locations which are well served by a choice of means of transport, close to an existing centre, and which have a high likelihood of forming links with the centre; and only then
 - 4) in other out of centre locations;
- iii) the proposal would not have an adverse impact, either individually or cumulatively with other committed developments, upon any proposed strategy for a centre, or the vitality and viability of any centre within the local retail hierarchy set out in Policy S1 or nearby centres adjoining the Borough; and
- iv) the proposal would be appropriate in scale and function to the centre to which it relates
- v) the proposed development would be accessible by a choice of means of transport, including public transport, cycling and walking, and
- vi) the proposed development would assist in reducing the need to travel by car, as well as overall travel demand.

Policy EN4

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

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

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

Policy EN7

Development which harms the landscape value of the following special landscape area will not be permitted:-

- (a) Leven Valley
- (b) Tees Valley
- (c) Wynyard Park.

Policy EN9

Development which is likely to be detrimental to the special historic interest of Wynyard Park will not be permitted.

SITE AND SURROUNDINGS

15. The application site comprises an area of land approximately 23.3 hectares in size, located on the western and southern part of Wynyard golf club (Wellington Course) in Wynyard.

16. The site is bounded to the north by the residential area of Wynyard and to the west is a belt of mature woodland, forming the boundary of Wynyard Park (a park of special historic interest). To the south adjoining the boundary is Parkside Manor, a large dwelling, and beyond this, and to the east is open countryside.

17. The current use of the site is for existing golf club facilities, including the clubhouse, golf academy building, golf fairways and associated car parking.

MATERIAL PLANNING CONSIDERATIONS

18. The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area and Wynyard Park, the impact on the privacy and amenity of neighbouring residents and highway safety and other material planning considerations.

Principle of Development - Hotel

19. In respect of the hotel, the applicant states that the current proposal is an intentional shift away from the extant large scale proposal which principally focussed on the mass market and attracting new visitors to Wynyard, to a higher quality, smaller scale scheme that is more in keeping with the scale and built fabric of Wynyard Village and the views and needs of its residents.

20. The 50 bed hotel has associated leisure facilities, restaurant and tennis courts and the high quality golf and leisure development and the applicant states would be unrivalled anywhere else in the region and would be available for use by residents of the hotel and the local community.

21. The applicant goes on to assert that given the importance the applicant places on the golf club it is important to retain the golf clubhouse as a separate entity for the benefit of both members and visitors rather than incorporate it within the hotel itself and not only is the clubhouse to be retained but a separate application will be submitted for a significant upgrade of the clubhouse but also the upgrade of the 16th, 17th and 18th holes.

22. Planning policy in respect of hotels would normally seek in the first instance for them to be located within Town Centres. In this case it is considered that the development is location specific to the golf course and as such cannot be viewed as appropriate to a town centre. The individual uses cannot be 'disaggregated' i.e. split between different locations. This the applicant states is for two reasons. Firstly, to be successful in the market place, the operation of the golf resort and hotel must have a single branded identity providing the full range of goods and services, hotel room, health club, bar, restaurants, driving range and other sport and leisure facilities. Secondly, the proposed range and scale of provision would also play an important role in meeting an unmet

need, providing important community facilities for local residents who will be able to take advantage of the new facilities provided on their doorstep.

23. It is considered that the proposal would be a very different operation from that normally expected to be provided in a town centre location and it is accepted that in planning terms the site is sequentially the best location and does not prejudice planning policy by being located within the Wynyard area. The principle of an Hotel in this location was again accepted when the renewal for the original and larger Hotel complex was approved in 2010.

24. In terms of need there is a clear need for additional visitor accommodation in the Tees Valley area, a fact supported by the Head of Regeneration. A recent study undertaken on behalf of Tees Valley Unlimited and the 5 Tees Valley local authorities (Hotel Futures, February 2009) identified strong potential at Wynyard for a 4 star golf hotel/resort. The study concluded that such a hotel should be able to draw top end corporate business from Wynyard Business Park and is likely to be able to host conferences and other business to achieve high occupancies and average room rates.

25. It is noted that this application differs from the previously approved larger scheme in that the applicant wishes to propose a smaller, more intimate development building on the success of Wynyard Village and Wynyard Golf Club. Nevertheless it is considered that the type of hotel developments proposed at Wynyard, in association with the golf facilities, could not be developed in the urban core and will be an asset to the Tees Valley sub-region.

26. Its tourist potential is an important planning consideration. The Regional Spatial Strategy RSS policy 16 encourages tourism developments which are accessible, and benefit the local economy, people and the environment. The proposal will improve and expand an existing facility, in line with market demand, and in this it meets the objectives of RSS policy 16. It will also provide new direct jobs and potentially further jobs in the wider economy.

27. One North East responded to both of the former Hotel applications. As stated in the previous responses, the high quality hotel element of the scheme accords with the broad thrust of the RES to provide improvements in the quality and quantity of visitor accommodation and facilities in the region. The hotel could contribute towards increasing visitor numbers and visitor spending and furthermore, the Agency welcomes the private investment the proposals represent.

Principle of Development. – Executive Housing

28. In terms of the proposed executive housing, in order to demonstrate the acceptability of the proposal the applicant stresses the importance of executive housing supply to the regional economy. The thrust of their argument is the need for a ready supply of top end housing to cater for the "creative class" as a driver of economic growth via Knowledge Intensive Business Services (KIBS). This class has specific housing needs and it is argued that there is significant evidence that the lack of current supply is acting as a barrier to economic growth and in-migration in the region (The Regional Housing Aspirations Study (2005)). The Tees Valley Sub-Regional Housing Strategy (2007) also recognises the inter-relationship between the provision of high end executive housing and economic prosperity (para 5.1.7 advises that research has identified an aspirational demand for more executive detached housing, particularly if economic regeneration targets are to be achieved). The applicant then argues of the importance of providing the type of housing that creative professionals require with a supporting quote from The Tees Valley SHMA "growth and new jobs follow the locational decisions of the creative class and not the other way around".

29. In essence the "creative class" according to an analysis carried out to inform the Regional Housing Aspirations Study confirmed that the 'rural village' was the option favoured by these "wealthy achievers" and large detached dwellings within large residential plots. The applicant suggests that the success of Wynyard Village is evidence of this desire and a study by Newcastle University (2007) specifically looking at Wynyard demonstrated the ability by providing the correct

type of housing in the right location, of attracting "mobile creative professionals" to the North-East and, in doing so, stimulating economic growth and importantly the growth of KIBS. The study found that Wynyard residents typically looked over a wide area to find the residential environment that suited them and nearly half of the residents in the study group had moved from either outside the north-east region or from overseas. In some cases the move to Wynyard prevented a move out of the region (Leeds, York and Harrogate). Less than a third had considered properties anywhere else in the Tees Valley. The reasons cited by the "creative class" for Wynyard's attraction were size of house; security; amenity and road accessibility.

30. In conclusion the applicant states that the proposal specifically meets the aspirational needs of the creative class and that aside from the odd single large detached property in North Yorkshire, housing that compares to the quality of housing proposed is in short supply.

31. An objection has been put forward on the grounds that the proposal is contrary to the Development plan and states that "The Tees Valley Strategic Housing Market Assessment (2009)(SHMA) at no point states that there is a need for additional housing specifically in Stockton or identifies the need for additional executive housing at Wynyard".

32. In response the SHMA states, "Whilst this SHMA has not directly sought to investigate the need and demand for executive housing, the evidence collated has highlighted that a need and demand for this type of housing exists in the Tees Valley" (paragraph 7.41).

33. The objector directs attention towards the following section (paragraph 7.45) of the SHMA:

"The Wynyard development demonstrates the existence of demand for executive housing. This is supported by consultation with developers who confirmed that they believed there to be a product driven market for executive housing in the Tees Valley (see Appendix E). Developers identified the following areas as appropriate locations for executive housing developments in the Tees Valley:

- South Middlesbrough (to capture North Yorkshire market and capitalise on proximity to the strategic road network);
- Guisborough (small scale);
- Pockets to the west of Hartlepool
- Around Darlington"

The objector comments as follows: "Quiet clearly there is scope, as identified by developers themselves, for the provision of Executive Housing to serve the market identified by the Planning Statement in locations within, or adjoining, the main conurbations in the Tees Valley. There is no doubt that such locations, whilst potentially adjoining the open countryside, would be infinitely more sustainable than Wynyard in relation to the public transport network and proximity to key services (health, education, retail) and also leisure facilities (health facilities, restaurants, golf clubs etc). Our conclusion that Wynyard is an unsustainable location for additional housing development is clearly in line with the consistent assessment of this site and other sites in Wynyard by the Council in the SHLAA (2008, 2009 & 2010).

34. In response it is considered that the fact that the SHMA has identified locations in the Tees Valley as appropriate for executive housing does not exclude other locations from consideration. It should be noted that the SHMA is not a site allocations document. However, it is acknowledged that the locations identified in the SHMA are potentially more sustainable than the application site. However, this must be carefully weighed against the particular characteristics of the applicant site, which would appear to make it an exceptionally attractive location for executive housing. It may, therefore, be the case that the application site is able to attract an upper spectrum within the executive category, which the other sites may not. It is also important to note that the distinctiveness of the application site means that if planning permission were granted for an

exclusive executive development then the arguments supporting the application would not be easy to successfully apply elsewhere.

35. The objector draws attention to the paragraphs in the Inspectors Report for the EiP of the Core Strategy that relate to executive housing and states, "At paragraph 3.20 of the Report the Inspector considers the suggestion of representors to make more housing sites available in the rural areas. On this matter the Inspector shared the Council's view that, while such sites would be attractive to the market, the creation of enclaves of executive housing in peripheral locations, they would not be consistent with the aim of promoting inclusive, cohesive and sustainable communities. The report then goes on to state at paragraph 3.23 that the Borough does contain a reasonable range of house types, including family housing and executive housing."

36. In response it is acknowledged that the Core Strategy does not support executive housing in rural locations and obviously the Inspectors Report is cognisant of this. However, as already stated the arguments supporting this application would not be easy to successfully apply elsewhere in the Borough. The type and quality of housing to be provided could not be instantly replicated on other sites identified for "Executive Housing." Because of the distinctiveness of the application site the benefits normally associated with executive housing may be particularly pronounced in this instance and to the betterment of the Tees Valley as a whole. Given this to be the case it is considered that the application can reasonably be viewed as a legitimate exception to the general approach to executive housing proposals in rural locations.

37. The Strategic Housing Market Assessment (SHMA) was published in 2009 and advised that executive housing is under-represented in the dwelling stock in the North East. Although the executive housing market only constitutes a small segment of the overall housing market, this lack of supply is considered to be acting as a barrier to economic growth and in-migration in the Region.

38. Whilst this SHMA did not directly seek to investigate the need and demand for executive housing, the evidence collated highlighted that a need and demand for this type of housing does exist in the Tees Valley.

39. People migrating out of the Tees Valley into North Yorkshire tend to be high income households who move into owner-occupied detached properties. 29.1% cited the reason for moving was to locate to a better area. The report goes on to say that this may be indicative of a lack of available executive housing in the areas within Tees Valley that have potential to offer the locational attributes such households are looking for.

40. Evidence also shows that 25.7% of in-migrants to the Tees Valley aspire to larger dwellings (4+ bedrooms) suggesting a demand for executive housing from those seeking to relocate within the Tees Valley from elsewhere.

41. Evidence shows that executive housing developments in the Tees Valley have been successful in attracting and retaining highly skilled and entrepreneurial people. Notably research by the Centre for Urban and Regional Research at Newcastle University indicated that some 40% of the residents of the Wynyard development own or part own a business. Furthermore, 40% of its residents were purchasers from outside the Region who may not have otherwise chosen Stockton as a place to live.

42. The 2007 Sub-regional Housing Strategy noted that research had identified an aspirational demand for more 'executive' housing in the Tees Valley, particularly if regeneration targets were to be achieved. The 2008 Strategic Housing Market Assessment recognised the importance of diversifying the current housing stock and generating a mixed housing supply, including the executive/middle/upper tiers of the housing market.

43. It is considered that the combined facilities of hotel, golf club and high quality bespoke large dwellings in large plots set within a quality landscape offer will specifically meet the need for top-end executive style homes to accommodate managers and highly skilled people working in local industries but who currently choose to live outside the borough. The proposed development provides a valuable type of housing not currently well represented in the Borough's housing stock.

44. It is considered that the proposed development would bring about economic benefits to the Borough and the wider area. As such it is considered these material considerations outweigh the policy objections, which would otherwise apply to the scheme.

Sustainability

45. In terms of sustainability the applicant acknowledges the Council's overarching policy for regeneration to locate most development within the Borough's urban core utilising previously developed land and contributing to sustainable development. However the applicant argues that the nature of the housing proposed and the specific locational requirements of the "top end" housing means that Wynyard is clearly the preferred location for housing of the nature proposed. Notwithstanding this it is contended that the proposed development contributes to sustainability in its own right for 4 principal reasons - the reduced scheme from the extant 150 bed hotel would signify a net reduction in vehicular movements; the nature and scale of the ancillary leisure facilities and new hotel are more appropriate for use by residents in addition to those staying at the hotel; full planning permission recently granted for 3 million sqft of new development at Wynyard Business Park will inevitably generate a requirement for an element of top end housing and "top end" housing in this location will serve as a trigger for the expansion of KIBS and other business on Wynyard Business Park; PPS3 policy objectives of the need to provide housing in rural areas and Taylor Review (2008) - move away from asking "is this settlement sustainable" to "will this development enhance or decrease the sustainability of this community - balancing social, economic and environmental concerns?" The applicant argues that further residential development will provide the opportunity to attract and sustain further services and facilities within the village for residents by reducing the need for residents to constantly source facilities/services by private car out with the village itself.

46. Finally the applicant argues that the Council's overarching regeneration aims will not be compromised in that there is a specific niche market requirement which has specific locational requirements out with the urban core and the nature and scale of the housing proposed will not compete with the nature and scale sought within the urban core as such there will be no impact on the Council's ability to implement their key housing strategy.

47. In response it should be noted that national planning guidance as set out in PPS1: Delivering Sustainable Communities, PPS7: Sustainable Development in Rural Areas and PPS3: Housing, all focus on providing more sustainable patterns of development. According to PPS3 housing development should 'create sustainable, inclusive, mixed communities in all areas, both urban and rural, and be directed to locations which offer a good range of community facilities and with good access to jobs, key services and infrastructure'. The advice is aimed at reducing car dependence to access local services.

48. Core Strategy Development Plan Document which was formally adopted in March 2010 and in particular the provisions of Core Strategy Policy 1 (CS1) seeks to promote development within the conurbation to assist with reducing the need to travel with priority given to previously developed land in the Core Area.

49. The application site is an unallocated site in the adopted local plan and is located outside the limits of development defined in the adopted local plan. Development is strictly controlled within the countryside beyond these limits and is restricted to limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or

recreation provided it does not harm the appearance of the countryside. The proposal does not fall within these categories and a judgement is required whether considerations in support of the proposal are sufficient to outweigh rural restraint policies.

50. In terms of locational policy, limits to development have been identified around the main urban core and the villages. Where possible, limits have been drawn where there is a clear break between urban and rural uses and landscapes. The Government's objectives set out in Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) are that the countryside should be protected for the benefit of all, that urban sprawl should be prevented and that new building development outside areas allocated for development in development plans should be strictly controlled, to protect the countryside for its own sake.

51. Regional and Local Plan policy both encourage a sequential approach towards the location of development to give priority to the reuse of previously developed land within urban areas. Wynyard Village has limited facilities, with a public house, a store, a hairdresser and a dentist. The area is not served by a primary school and there are no public bus services at present although the situation may change. The nearest employment area is on the north side of the A689, not far from the A19. Nearly all trips for the purposes of education, employment, shopping and community social activities would therefore be by private car. Whilst it is acknowledged that the provision of further services and facilities within the village for residents will reduce the need to some degree for residents to constantly source facilities/services by private car out with the village itself, the lack of facilities and the distance of the settlement from main facilities indicate that the proposed location is likely to be highly car dependant and therefore a judgement is required whether considerations in support of the proposed development are sufficient to outweigh rural restraint policies.

52. It is considered that there is a specific requirement to provide high quality spacious detached executive dwellings at the upper end of the market, which at the present time are not currently met. Furthermore there is a strong economic argument to recommend an approval of the planning application which is a strong additional consideration in favour of granting planning permission sufficient to outweigh the rural restraint policies and the above exceptional reasons justify a departure from policy in this instance for this specific development.

Landscape and Ecology

53. The site is open grassland interspersed with mature trees around which the golf course is located. The site benefits from existing mature tree belts which form a physical barrier between the proposed development and Wynyard Park and it is considered that the proposal will not adversely affect Wynyard Park which is a park of special historic interest. A full tree survey will be required as part of the reserved matter conditions requiring the submission of full landscaping details (soft and hard), maintenance and management, existing and proposed levels, enclosure, street furniture and illumination.

54. The wildlife value of this site is mainly in its ground flora. The applicant had carried out an extended phase 1 survey of habitats that revealed that the habitats within the site are of generally low nature conservation value with little evidence of protected species being present except for possibly roosting and foraging bats in the trees. One pond within 500m of the development site is considered to have a high risk of supporting great crested newts but ponds within the site have a low to moderate suitability for supporting the species. Badger and water vole were also surveyed for but without observation. Giant Hogweed is present within the site.

55. The report sets out a number of measures to mitigate potential impacts including additional specialist surveys will need to be undertaken to support any subsequent detailed planning applications and the appropriate planning conditions are recommended accordingly. Natural England were consulted on the application and are satisfied with the surveys carried out to date.

56. The Head of Technical Services is supportive of the application subject to the imposition of a number of conditions set out in their Landscape advice.

57. Planning policy requires new residential development to be designed and laid out to provide a high quality of built environment which is in keeping with its surroundings and pay due regard to existing features on the site. It is considered that subject to controlling conditions covering issues of tree assessment and protection, soft and hard landscaping, maintenance and management, existing and proposed levels, enclosure, street furniture and illumination, the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on landscape and ecological habitat.

The Impact upon the Privacy and Amenity of Neighbouring Residents.

58. The location of the hotel is approximately a minimum of 100 metres from existing dwellings on Wellington Drive and whilst some of the proposed dwellings would face an existing large detached property known as Parkside Manor it is considered that the proposed dwellings would be a minimum of 30 metres from the property and sufficiently far apart to meet any visual privacy requirements and the site has a sufficient area to meet the amenity of the occupants and it is not considered that the application will have any significant impact upon the privacy and amenity of neighbouring residents.

59. The Occupier of Parkside Manor has raised concerns regarding the close proximity of the proposed housing to stables and grazing land which are used for thoroughbred racehorses and stud horses and states that there would be a significant risk that the horses would be frightened from the noise and disturbance to the detriment of their welfare. Also safety concerns for children entering the fields with horses and electric fencing. In response the residential component comprises low density housing within large plots with defined boundaries and whilst these concerns are noted the issues of trespass and the existence of electric fencing are no different to situations found elsewhere in other communities. A Design and Access statement accompanies the application which provides some design principles and information on the proposed nature, form, scale and appearance of the development as a whole. A condition requiring a comprehensive design framework document to be agreed will ensure that there is uniformity in terms of character, form and appearance across the new housing development to ensure that the dwellings, both individually and collectively, are in keeping with the high quality landscaped setting in this location.

Health and Safety Executive Consultation Zone

60. There is a Major Accident Hazard Pipeline (MAHP) high pressure gas pipeline which runs through the site – (*Feeder 6 – Little Burdon - Billingham*). Under Article 10 of the Town and Country Planning (General Development procedure) Order 1995, as amended, decision makers are required to consult the Health and Safety Executive (HSE) on certain planning proposals around major hazards and to take into account the Executive's representations when determining associated applications. This is to ensure that the UK complies with Article 12 of the Seveso II Directive which has the specific objective of controlling certain new development around major hazards when the development is such as to increase the risk or consequences of a major incident.

61. HSE's advice is based on Government agreed principles and framework and is delivered through the PADHI (Planning Advice for Development near Hazardous Installations) and the assessment indicates that the risk of harm to people at the proposed development is such that HSE's advice is that there not sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case. The National Grid Transmission Asset Protection Team were also consulted on the application and following revisions to the housing layout to move some houses from a protected zone raised no objection to the proposal.

Traffic, access and highway safety

62. Traffic generated by the proposed development is one of the concerns of local residents and specifically impacts as a result of construction traffic. The Head of Technical Services has considered the highway arrangements in terms of how it functions and highway safety implications as well as general parking provision and is satisfied with the proposal.

63. The Head of Technical Services notes that there is an extant Planning Consent for a 150 bed hotel plus leisure facilities. The trip generation for the revised development is less than for the existing, consented development. The trip generation for the housing is from the higher range of TRICS predictions and is therefore acceptable.

64. A Public Right of Way (F/P No.13 Grindon) is located on the eastern side of the proposed development site. A condition is imposed to ensure that the PROW will remain open and unobstructed to allow members of the public to use at all times.

65. A condition requiring the submission of a travel plan that includes travel modal share targets, provision for sustainable modes of travel to and from the site, timescales for implementation and details for monitoring, reporting and reviewing the plan, is recommended.

66. A number of conditions are recommended in relation to the maximum number of bedrooms, event management, construction management, wheel washing facilities, refuse management including recycling and car parking. Specific site layout and car parking details would be considered as reserved matters.

67. With regard to potentially increasing the traffic congestion on the A689 and A19, the Highways Agency has been consulted because of the likely impact on the Trunk Road network. The Highway Agency has responded and has raised no objections to the proposal.

Other matters

68. A Flood Risk Assessment accompanies the application and identifies the site falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. The Environment Agency has no objection to the proposal subject to appropriate controlling conditions.

69. The applicant has agreed to enter into a Section 106 Agreement to provide a commuted lump sum of £283,324.40 by way of contribution to be provided towards improving sports and open space provision in the Borough. A Local labour agreement also features as part of the Section 106 which is acceptable to the Council's Labour Market Co-ordinator.

70. Policy CS8 (5) states "Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more" and the proposal therefore accords with Policy CS8 (5). Given the nature of the site and the intended use for high end executive housing it is considered that affordable housing should be provided off-site. A financial contribution to the equivalent of the provision of nine affordable housing units on site payable on completion of the 10th dwelling is recommended. The financial contribution will only be spent on affordable housing, and may be used as a whole or partial contribution to the costs of land acquisition, property refurbishment and remodelling including bringing empty homes back into use and other development costs associated with the provision of affordable housing. The Council reserves the right to make this provision anywhere within the Borough and will be determined taking account of identified needs. The Council will hold the money for a maximum of 10 years from the date it is paid to the Council, after which any money not spent by the Council will be returned

71. In accordance with Core Strategy policy CS3 conditions are proposed that require the commercial elements of the hotel development to meet BREEAM standards of very good and after 2013 a minimum rating of excellent. In addition the residential elements are to be required to meet the relevant Code for Sustainable Homes.

CONCLUSION

72. It is considered that the principle of the development is acceptable in this location. Overall the nature and scale of the development is acceptable and it is considered that the site could satisfactorily accommodate the proposal without any undue impact on ecological habitat and flooding. The proposed access and highway arrangements satisfies the requirements of the Head of Technical Services and it does not adversely impact on neighbouring properties and complies with Health and Safety Executive requirements and on balance it is considered that, the development can be supported and the application is therefore recommended for approval subject to going through departure procedure and subject to appropriate planning conditions to secure necessary controls over the development.

Corporate Director of Development and Neighbourhood Services
Contact Officer Carol Straughan/ Gregory Archer Telephone No 01642 526052

WARD AND WARD COUNCILLORS

Ward **Northern Parishes**
Ward Councillor **Councillor J Gardiner**

IMPLICATIONS

Financial Implications:

As Report

Environmental 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.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

The Town and Country Planning Act 1990.

PPS1: Delivering sustainable development - February 2005

PPS3: Housing - November 2006

PPS4: Planning for Sustainable Economic Growth - December 2009

PPS7: Sustainable development in rural areas - August 2004

PPS9: Biodiversity and Geological conservation - August 2005

PPG13: Transport - March 2001

PPG17: Planning for open space, sport and recreation - July 2002

PPS22 Renewable Energy - August 2004

PPS25: Development and Flood Risk - March 2010
Stockton on Tees Adopted Core Strategy 2010

Stockton on Tees Adopted Local Plan (Saved Policies)

Supplementary Planning Documents

Planning Obligations

Parking

Application numbers 07/0770/OUT and 10/0476/RNW