

DELEGATED

AGENDA NO

PLANNING COMMITTEE

8 June 2011

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

11/0549/OUT

Tall Trees Hotel, Worsall Road, Kirklevington

Outline application for executive development consisting of 62 detached dwellings and 81 apartments.

Expiry Date: 14 June 2011

SUMMARY

This application seeks Outline Planning Permission for the construction of an executive housing development on land adjacent to the existing hotel. The application is in outline with all matters reserved.

The site benefits from an extant planning permission for the extension of the hotel and development of 250 apartments (04/3905/EIS). In terms of this consent it was accepted by the Council that there was a functional and practical relationship between the expansion of the hotel and the executive apartments. In order to facilitate the expansion of the hotel, it remains the case that investment from residential development will be required. The applicant states he is unable in the short to medium term to proceed further with the executive apartments because of adverse market conditions. However, it is his intention to progress the expansion of the hotel, as soon as funds permit. It is proposed that the phased expansion of the hotel and the phased development of the housing proceed hand in hand, with progress on the housing secured by means of a planning condition to ensure the implementation of the phases of the hotel.

The applicant states that the costs of the construction of the approved hotel expansion are significantly greater than the likely value yielded from the land value for executive housing. This means that the scheme does not have the financial ability to readily contribute to all the Council's aspirations for financial contributions from new development and also fund the hotel expansion.

The applicant states that if the development does not go ahead, the existing facilities at Tall Trees hotel will be forced to cease trading. This point is made in recognition that without substantial extension and improvement, the hotel cannot attract significant new visitors to the Tees Valley. Without increasing turnover, it is not viable in the current climate. At the present time, along with other higher quality hotels, Tall Trees is not a profitable or viable enterprise.

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, 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.

The principle of executive residential use on the site has been established through the previous outline consent and subsequent reserved matters applications. Furthermore there are regeneration benefits in securing the redevelopment of the Tall Trees Hotel as a prestigious hotel and conference facility that 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.

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 conditions and a Section 106 agreement to secure a local labour agreement and highway mitigation measures.

RECOMMENDATION

It is recommended that the application 11/0549/OUT be APPROVED subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the conditions.

In the event of the legal agreement having not been signed, or there still being outstanding matters on the 14 June 2011 that the application be refused.

HEADS OF TERMS

Footpath and Cycle Route Contribution

Prior to the Occupation of the tenth Dwelling constructed pursuant to the Permission the Owner shall pay £154,000 to the Council towards the provision of a footpath and cycle route linking the Application Site with Yarm Station

Car Park Contribution

Prior to the Occupation of the tenth Dwelling constructed pursuant to the Permission the Owner shall pay £100,000 to the Council towards the costs of providing a long-stay car park to serve Yarm Town Centre

Employment and Training

The Owner covenants with the Council as follows:

to use reasonable endeavours to ensure that ten per cent (10%) of the Jobs on the construction phase of 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 construction phase of the Development are provided by Businesses within the Target Area; to take reasonable steps to procure that any contractor and/or sub-contractor nominate an individual to liaise with the Labour Market Co-ordinator; to 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. The Owner shall not Commence Development until the Method Statement has been agreed by the Council.

Conditions

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

Plan Reference Number	Date on Plan
1017/001	9 March 2011

Reason: To define the consent.

02. 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.

03. 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.

04. 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.

05. The development shall be implemented in general conformity with the approved Design and Access Statement and illustrative drawing number 1017/002C submitted with the planning application 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.

06. No development shall commence until a design code setting out the comprehensive design framework for the 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.

07. The total amount of residential units as authorised by this permission shall not exceed 62 dwellings and 81 apartments.

Reason: To ensure a satisfactory form of development.

08. No work shall commence on site until a phasing plan has been submitted to and approved in writing by the Local Planning Authority to clearly illustrate corresponding phases to be undertaken between the hotel (as approved by planning permission 04/3905/EIS and associated reserved matters) and the housing hereby approved. Thereafter the development shall be undertaken in accordance with the approved phasing plan with no residential development being commenced in any subsequent phase before the previous phase has been completed and the corresponding phase of the Hotel has been completed, unless otherwise first agreed in writing by the Local Planning Authority. No residential development shall commence until the first phase of the hotel development 04/3905/EIS (or such other permission as may be approved for the hotel development) has been implemented.

Reason To enable the Planning Authority to retain effective control over the development.

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. 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. 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.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. No development shall commence within each Phase until a car parking scheme 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.

17. No development shall commence on site until full details of hard surfacing materials for the provision of car parking both within and without residential curtilages within the site have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development for surface water disposal.

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 the details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected, changes of gradient levels on roads and footpaths within the development and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) within that phase has been submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.

Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity of the area, the living conditions of nearby residents or integrity of existing natural features and habitats.

24. No development shall take place within each phase until the details of all external finishing materials and gradient changes including roads and footpaths within that phase shall be agreed with the Local Planning Authority before the development is commenced.

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

25. 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.

26. A Construction Management Plan shall be submitted and agreed in writing, prior to the commencement of development on each phase, with the Local Planning Authority to effectively control dust, noise and other emissions due to construction operations and traffic movements to and from the site, this shall address vehicular routeing, earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements including deliveries, wheel washing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

Reason: In the interests of the occupiers of adjacent and nearby premises.

27. In the event that contamination is found at any time when carrying out the approved development, 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 and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first

submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

Reason: To ensure the proper restoration of the site and to accord with guidance contained within Stockton on Tees Core Strategy Policy 10 (CS10) - Environmental protection and enhancement

28. 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.

29. The residential units 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.

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

Reason: The Sewage System to which the development will discharge has reached its design capacity and cannot accept the anticipated flows.

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 of the proposed discharge rate and how it was calculated.

Details of the existing drainage network and discharge location.

Confirmation the proposed network operates without flooding up to the 30 year peak storm event.

Confirmation that any flooding from the proposed network up to the 100 year peak storm event is retained on site at no risk to people or property.

Consideration for climate change.

Details of the proposed outfall to the watercourse.

Details of the sustainable drainage measures to be incorporated into the design.

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

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

32. Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the Saltergill Beck shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

**plans showing the extent and layout of the buffer zone
details of the planting scheme (for example, native species)
details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
details of any footpaths, fencing, lighting etc.**

Reasons: Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside Salter gill Beck is valuable for wildlife and should be remain free of development. Article 10 of the Habitats Directive also stresses 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.

33. No development shall take place unless in accordance with the mitigation detailed within the protected species report 'An Extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm,' E3 Ecology Ltd., August 2009 including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; undertaking confirming surveys as stated; adherence to precautionary working methods; provision of a bat loft.

Reason: To conserve protected species and their habitat.

34. All works shall be undertaken in accordance with the GCN Method Statement included at Appendix 2 of 'An Extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm,' E3 Ecology Ltd., August 2009.

Reason: To conserve protected species and their habitat.

35. Development shall not be commenced within each phase until the Local Planning Authority has approved in writing the details of the provision of public open space within the former Saltergill School and arrangements for the setting out of the Public Open Space for each phase by the developer, as part of the development, and such arrangements shall address and contain the following matters:

- A) The type and nature of the facilities to be provided within the Public Open Space**
- B) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development**
The arrangements the developer shall make for the future maintenance of the Public Open Space

The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed under part B) above.

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

36. A Stage 1 Road Safety Audit should be submitted to and agreed in writing by the Local Planning Authority with the reserved matters application. The findings of the report should be implemented as approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety

INFORMATIVES

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 policies EN4 and EN13

Stockton-on-Tees Borough Council Core Strategy Development Plan March 2010 policies CS1, CS2, CS3, CS4, CS5, CS7, CS10 and CS11.

Regional Spatial Strategy (RSS) for the North East of England July 2008

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

The applicant should be aware that the Saltergill Beck is a main river and as such any works in, over, under, or within 5 metres will require the prior written consent of the Environment Agency under the Water Resources Act 1991.

The Environment Agency records show that there could be Water Vole in the area. These are protected under the Wildlife & Countryside Act 1981. Further guidance can be found at Natural England's website <http://www.naturalengland.org.uk/>

There are limited flood zones associated with the Saltergill Beck. Looking at the indicative layout, the footprint of development is not in this area, however should any residential plots backing on to the beck remain at the same extent, we would require details of any planned fencing along the bottom of the plots. Any fencing in that area should be designed to allow flood water to pass through it, therefore reducing the risk of any associated increase in flood risk to adjacent areas.

Before carrying out any excavation, trial holes must be dug to find the exact position of gas pipes, using recognised and agreed safe hand digging techniques. Reference should be made to the HSE Guidance Note HSG47 - 'Avoiding Danger from Underground Services'.

Due to the nature of the planning application and the presence of National Grid apparatus within the above mentioned site, the contractor should contact National Grid before any physical works are carried out to ensure our apparatus is not affected by any of your works.

High Pressure National Gas Transmission Major Accident Hazard Pipeline/Installation

There is a High Pressure National Transmission gas major accident hazard pipeline/installation in the vicinity of your enquiry which may be affected by your activities.

Prior to work commencing within the easement of a National High Pressure gas pipeline written permission must be obtained from National Grid. A minimum notice period of seven working days is required before commencement of work.

Our contact telephone number for further information is: 0800 688 588

Medium or Low Pressure Gas Distribution Apparatus

There is Low or Medium pressure gas apparatus in the vicinity of your enquiry which may be affected by your proposed activities.

It is essential that NO mechanical excavations take place above or within 0.5 m of Low and Medium pressure systems.

You should where required CONFIRM THE POSITION of mains using HAND DUG TRIAL HOLES.

If working in the vicinity of a high pressure gas pipeline the following document must be followed:

'Specification for Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations – Requirements for Third Parties' SSW22. This can be obtained from:

http://www.nationalgrid.com/NR/rdonlyres/50ACAC0A-ED26-41A7-91FA-83163A98270F/23790/TSPSSW22_J537_Rev0807.pdf

National High Pressure Gas Pipelines Guidance:

http://www.nationalgrid.com/NR/rdonlyres/446009BF-ABB5-42E1-B9FE-44E90D577DD5/18653/APTGasGuidance_2_.pdf

Safe digging practices, in accordance with Health and Safety Executive document HSG47, must be used to verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any mechanical plant is used.

It is your responsibility to ensure that all relevant information is provided to all persons (either direct labour or contractors) working for you on or near National Grid apparatus.

It must be stressed that both direct and consequential damage to gas or electricity apparatus can be dangerous both for your employees and the general public.

Repairs to any such damage will incur a charge. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Work carried out without proper consultation is done so at your own risk.

Please note that apparatus owned by other operators may be present in this area. Information with regard to such apparatus should be obtained from the owners.

Should the location, date or nature of your activities change, you must submit another enquiry which reflects the updated details.

In paragraph 4.35 it indicates that should electrical vehicle users wish to use the charging point at Yarm Railway Station they should register with Stockton-on-Tees Borough Council – this is not the case. To use this and any of the other posts in the Plugged in Places project they should register with Charge Your Car (www.chargeyourcar.org.uk)

Another potential incentive to reduce the reliance on the car is to promote the use of home deliveries for household groceries – the Travel Plan Coordinator should explore the opportunity to provide discount vouchers within the welcome packs.

It is noted that the Council will consider the Title Transfer of the POS in perpetuity for areas which are of general benefit to the development. Should the developer wish to seek Title Transfer of the POS to the Council then the developer will be required to clearly identify all areas that are proposed for transfer. Failure to do so shall mean that no land within the development shall be agreed for Title Transfer by the Council. On agreement by the Council for Title Transfer of land the Developer shall enter into separate discussions with the Council to agree a commuted lump sum figure to pay for the on going maintenance of the POS and any facilities contained within its boundaries.

The Council will not normally accept Title Transfer of small parcels of ground or areas that are awkwardly shaped or located which will be too costly to maintain. These should where appropriate be incorporated into the gardens or curtilage of adjacent properties. The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed.

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction to the highway then early discussion should be had with the Highway Authority on the timing of these deliveries and measuring that may be required so as to migrate the effect of the obstruction to the general public

BACKGROUND

1. Tall Trees Hotel originally existed as a country residence before being converted into a small hotel in the 1960's. Since this conversion the hotel has been extensively refurbished and extended to create what is now a 120 bed hotel and leisure complex. The site was also once home to the Tall Trees Nightclub but this recently closed due to financial difficulties (Appendix 1 – Illustrative Site Layout).

2. The Planning History for the Tall Trees site is extensive, however for the purposes of this application, only the most recent permissions for the hotel extension and 250 apartments are considered pertinent: -

04/3905/EIS Resubmission of Outline application for the erection of 250 no. apartments and hotel extension including new leisure and business centre and new means of access (demolition of existing nightclub/leisure complex/function rooms).

06/3419/REM Reserved matters application for approval of external appearance for hotel extensions and erection of 250 no. apartments.

08/0613/REM Reserved matters application for approval of landscaping of the site of planning approval.

3. Following the above approvals, works have taken place and the permission is now extant without any conditions outstanding.

PROPOSAL

4. The development proposed is to include 62 housing plots and 81 apartments mainly over 4 floors with basement parking, cycle parking and bin storage. The housing plots are set out in a variety of sizes throughout the site.

5. The apartments are predominantly 1, 2 and 3 bedroom units and envisaged to range between 80 – 120 sq. m and will overlook the existing pond and Saltergill Beck. The apartment block has been located to provide a buffer between the hotel activities and the housing plots.

6. The housing plots offer the opportunity for a variety of house types set within a landscaped environment.

7. The main entrance to the site will be shared with the existing hotel with the principal route to the main development area in the form of a boulevard. All housing plots will benefit from private parking including garaging to the standards required by the council.

8. Landscaping enhancement includes water features, wildflower meadows and nature trails within the existing woodland. The existing mounding to the B1264 and around the boundaries to the former Saltergill School will be removed and replaced with natural tree planting and hedges. This will replicate the character of the existing hedgerows on the main road to the north of the site as well as providing visual screening and ecological habitat. The existing wildlife corridor running in the valley of Saltergill beck will be enhanced and sympathetic access will be provided to the area for residents of the development.

9. As part of a reserved matters application a design brief will be prepared to include a restricted but varied palette of materials as well as cohesive landscaping scheme to flow through the site to link the various elements.

CONSULTATIONS

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

Development and Regeneration

We are generally supportive of the opportunity to enhance and expand the offering of Tall Tress Hotel. It provides a facility that is needed within the borough for hotel accommodation and conference/event destination of a high quality. Consequently the principle of connecting a development with the hotel that will help to facilitate that we would look to support in principle. The designs of the housing development do not appear to be commensurate with the quality of hotel and facilities that are indicated in that of a normal design would not enhance the surround of what is intended to be a 5 star destination. The applicant suggests that the apartments would fill a gap in provision, identified as being similar to those in Leeds and Newcastle. We would contend that the Northshore development has such apartments included in its masterplan. The apartment market is difficult to deliver in the present economy due to build costs and availability of mortgages. The applicant makes reference to a similar development which has recently been granted permission at Wynyard. That development of housing is of an exclusive nature of very high end housing, and the developments proposed here, were it more comparable to the Wynyard development, would appear to be more in keeping with the overall aspiration and intent for the area.

Children, Education And Social Care

Kirklevington Primary School and Conyers School could both accommodate the additional children likely to be generated by this development.

Hambleton District Council

I can confirm that Hambleton District Council has no comment to make on the proposed development.

Tees Valley Unlimited

These comments relate to the strategic housing related objectives of Tees Valley Unlimited (TVU) as expressed in the Statement of Ambition, Sub-Regional Housing Strategy and Tees Valley Economic Regeneration and Investment Plan. The comments are arranged under the following headings:

- Executive Housing
- Balanced Communities
- Place
- Low Carbon Development

1 Executive Housing

TVU recognise that in order to retain and attract footloose wealth creators and entrepreneurs the sub-region needs to widen its housing offer to include the development of more higher end “executive” housing, in sustainable locations. Whilst the applicants describe this development as “executive” it is not clear what is meant by this. An executive housing development can be characterised mainly by high price, very low density and large plot sizes together with the creation of a unique sense of place-most typically a village style environment. In some locations and circumstances high quality apartments, sometimes formed from the sub-division of larger historic properties can come into the description of “executive” as do some riverside and urban apartments. In respect of the application subject of these comments it probably would be more appropriate to describe it as a development pitched at the mid to upper ends of the housing market as opposed to a full executive development. Additionally the indicated layout, whilst adequate, cannot be said to create a high quality, unique residential environment as discussed in section 3 below. However the proposal would result in a wider choice of some house types for existing and incoming residents of the Tees Valley and would therefore accord with some of the broader housing aspirations of TVU.

2 Balanced Communities

In order to avoid creating areas of similar social and tenure characteristics lacking diversity and interest TVU encourages the development of housing areas comprising mixed house types, tenures and prices. The submitted documentation appears to indicate a mixture of house types and sizes and this would accord with the ambitions and objectives of TVU. However on the critical issue of affordable housing it is noted the applicants do not intend to provide any on site or off site affordable housing. The Local Planning Authority must decide if the “enabling” argument forwarded by the applicant is a material consideration in determining this application but because of this lack of commitment to the creation of a balanced residential area this proposal does not accord with the stated objectives and ambitions of TVU in this respect.

3 Place

The design and appearance of new housing developments can influence an areas ability to attract and retain wealth creators and entrepreneurs and thus foster the economic development of the sub-region. TVU therefore encourages the principles of good design in all new housing developments. The proposed layout seems to suggest a fairly standard urban or suburban area that, whilst making good use of the site, is not particularly distinctive or unique. The submitted document titled “Design and Access Statement” fails to mention how and why this particular layout has evolved, what other options were examined and why they were rejected, how it has drawn from the rural context it is set within and how it reflects other vernacular rural settlements in the Tees Valley. Whilst certain good principles of urban design have been incorporated in the layout the overall impression is one of an off the shelf housing development that would sit more comfortably within an urban or suburban setting rather than a bespoke development designed to give a unique sense of place within a rural context.

It is ultimately for the Local Planning Authority to determine if this is an appropriate form of development to take place in the open countryside but overall the proposal as submitted cannot be said to accord with the place making aspirations of TVU.

4 Low Carbon Developments

Tees Valley Unlimited is leading the sub-regional drive to transit to a low carbon economy and as part of this agenda would encourage the development of a high standard of environmentally sustainable housing. In this respect the submitted details imply no special provision of environmentally sustainable features and no comment on the Council’s LDF requirements for houses built to Code for Sustainable Homes Levels 3 and 4 and the need to generate 10% of the development’s energy requirements on-site. In view of the fact the development is somewhat separate from the existing built up area of Yarm and some distance from local facilities it will do little to deter additional car borne journeys. It would therefore be expected a range of mitigation measures would be included both within the scheme as a whole and the design of the individual houses. In this respect it is noted a combined footpath/cycle link from the development to Yarm Station is proposed together with a travel plan that may mitigate some of the environmental impacts of the scheme. Whilst these measures are welcome the proposal cannot be said to fully accord with the wider low carbon development aspirations of TVU

National Grid Transmission Asset Protection Team

The works proposed are likely, unless controlled, to adversely impact the safety and integrity of National Grid apparatus. If you decide to proceed with these works, please contact us again so that we may arrange for technical advice and guidance to be provided.

Please note this assessment is purely related to the potential for the proposed physical works to adversely impact National Grid’s assets. It does not imply in any way the acceptability of the proposed development from a planning perspective.

This location falls outside the National Grid Gas Distribution Network area. This means that another Gas Distribution company operates in this area.

There is National Grid apparatus directly crossing your Area of Enquiry. Before carrying out any excavation, trial holes must be dug to find the exact position of gas pipes, using recognised and agreed safe hand digging techniques.

Reference should be made to the HSE Guidance Note HSG47 - 'Avoiding Danger from Underground Services'.

Please read the rest of this message and its attachments carefully for additional information and guidance.

Due to the nature of the planning application and the presence of National Grid apparatus within the above mentioned site, the contractor should contact National Grid before any physical works are carried out to ensure our apparatus is not affected by any of your works.

High Pressure National Gas Transmission Major Accident Hazard Pipeline/Installation

There is a High Pressure National Transmission gas major accident hazard pipeline/installation in the vicinity of your enquiry which may be affected by your activities.

Prior to work commencing within the easement of a National High Pressure gas pipeline written permission must be obtained from National Grid. A minimum notice period of seven working days is required before commencement of work.

Our contact telephone number for further information is: 0800 688 588

Medium or Low Pressure Gas Distribution Apparatus

There is Low or Medium pressure gas apparatus in the vicinity of your enquiry which may be affected by your proposed activities.

It is essential that NO mechanical excavations take place above or within 0.5 m of Low and Medium pressure systems.

You should where required CONFIRM THE POSITION of mains using HAND DUG TRIAL HOLES.

If working in the vicinity of a high pressure gas pipeline the following document must be followed:

'Specification for Safe Working in the Vicinity of National Grid High Pressure Gas Pipelines and Associated Installations – Requirements for Third Parties' SSW22. This can be obtained from:

http://www.nationalgrid.com/NR/ronlyres/50ACAC0A-ED26-41A7-91FA-83163A98270F/23790/TSPSSW22_J537_Rev0807.pdf

National High Pressure Gas Pipelines Guidance:

http://www.nationalgrid.com/NR/ronlyres/446009BF-ABB5-42E1-B9FE-44E90D577DD5/18653/APTGasGuidance_2_.pdf

Safe digging practices, in accordance with Health and Safety Executive document HSG47, must be used to verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any mechanical plant is used.

It is your responsibility to ensure that all relevant information is provided to all persons (either direct labour or contractors) working for you on or near National Grid apparatus.

It must be stressed that both direct and consequential damage to gas or electricity apparatus can be dangerous both for your employees and the general public.

Repairs to any such damage will incur a charge. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

Work carried out without proper consultation is done so at your own risk.

Please note that apparatus owned by other operators may be present in this area. Information with regard to such apparatus should be obtained from the owners.

Should the location, date or nature of your activities change, you must submit another enquiry which reflects the updated details

Northumbrian Water Limited

The application form states Surface Water to beck. Northumbrian Water has no objection to this. The application form does not ask about foul drainage. Northumbrian Water has concern about this development. Please apply condition. (condition was also requested 10/01/2005 application for 250 flats.)

Condition - foul sewerage system

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

Reason

The Sewage System to which the development will discharge has reached its design capacity and cannot accept the anticipated flows.

Sport England

The site is not considered to form part of, or constitutes a playing field as defined in Article 16(1) the Town and Country Planning (Development Management Procedure) (England) Order 2010 in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has considered this a non-statutory application.

Sport England has assessed the application in the light of Sport England's Land Use Planning Policy Statement Planning Policies for Sport. The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

Sport England has worked with Stockton Council on developer contributions in relation to sports facilities, and would expect this proposal to meet the requirements on site or in the form of a contribution to off-site provision that will serve occupants of this site.

Subject to the above assumption being confirmed it is considered that the proposal is consistent with the following policy objective(s):

Planning Policy Objective 8

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

This being the case, Sport England does not wish to raise an objection to this application

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

Head of Housing

Executive Housing – Need and Demand

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. There appears to be an inflow of people into the Tees Valley looking for larger houses and an outflow of people looking for a better area. The challenge for local authorities is to provide larger houses in the better areas of the Tees Valley to help attract more and retain more mid-upper income households.

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

executing housing in the areas within the Tees Valley that have the potential to offer the location 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 chose 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 to the region.

Affordable Housing – Need and Demand

The Strategic Housing Market Housing Assessment (published in 2009 and incorporating a 2008 update to the Local Housing Assessment) identified an annual deficit in provision of affordable housing in the Stockton borough of 866 dwellings.

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 serviced by making provision elsewhere.

In line with this policy the Housing Service would request a minimum of 21 affordable dwellings to be provided (15%).

Using the ratio of 80/20, it is proposed the tenure split should be:

80%	17	Rent
20%	4	Intermediate Tenure
	21	Total

Head of Technical Services

General Summary

The principle of the application is acceptable in Urban Design terms. Should this application be considered for approval then appropriate conditions are suggested in the informative section.

Highways Comments

The site has an extant permission for an extension to the existing hotel and 250 apartments. This current application proposes to revise the scheme and it is supported by a Transport Statement and Travel Plan. The trip generation for the site was calculated after the national database (TRICS) was interrogated for trip generations of similar developments and is therefore considered to be robust. The predicted trip generation is expected to reduce by 59 in the morning peak and 91 in the evening peak against the consented development. The Transport Statement demonstrates that the highway will operate satisfactorily in peak periods with the additional development traffic.

The location is currently considered unsustainable for new development due to its lack of pedestrian connectivity with the town centre, schools, surrounding residential areas, and bus/rail travel facilities. However, a shared footway/cycleway is proposed as part of this application along B1264 Green Lane which would provide the necessary sustainable link to Yarm Station, Conyers

Secondary School and towards Yarm High Street. The provision of this footway/cycleway is detailed in the Heads of Terms for the S106 Agreement.

The S106 Agreement also details a contribution of £100 000 towards improvements to parking in Yarm town centre. This is required as additional residential dwellings are likely to utilise local shopping facilities and impact on existing parking that is currently at a premium.

The revised layout indicates 62 executive dwellings, 81 apartments and an extension to the existing hotel. The layout is indicative only, however there is sufficient space to achieve an acceptable layout that is permeable throughout the site with potential links to the wider countryside, provide appropriate footway and carriageway widths and adequate car parking.

Should the development be approved it will be necessary for future reserved matters applications to be constructed to the Council's Design Guide and Specification current edition and Supplementary Planning Document 3: Car parking provision in New Development. A Stage 1 Road Safety Audit should also be submitted along with details of how refuse including recycling will be managed for the site.

The existing access is used for the site onto the B1264, visibility is acceptable in both directions and an existing ghost right turn provides access to the site for vehicles turning from the west.

During construction, measures should be taken to ensure that the highway and its users are not adversely affected by HGV and delivery traffic. A Construction Management Report should be submitted detailing construction times and routes including deliveries and wheel washing facilities where necessary.

Landscape & Visual Comments

The principle of the application is acceptable in Landscape and visual terms. Should this application be considered for approval then appropriate conditions are suggested in the informative section.

Flood Risk Management

Planning permission has previously been granted for a hotel development and executive apartments under application no. 04/3905/EIS. The application has recently been implemented through discharge of all conditions precedent and making a start on construction. Due to present market conditions the client has considered alternative potential forms of residential development, which lead to the submission of 11/0153/SCO and then full application 11/0549/OUT.

The applicant proposes a development consisting of 62 detached houses and 81 apartments. Since the original approval new regulations to manage flooding and surface water have come into force; The Flood Risk Regulations 2009 and the Flood and Water Management Act 2010.

The scope of this proposed development is significantly less than that of the permission that lies extant. It is understood that the developer and Environment Agency have agreed that given the extant of the previously approved scheme, it is considered that there is no need for a new Flood Risk Assessment to be submitted to support the revised scheme, the principle of the larger development on site already being accepted.

The development must not increase the risk of surface water run off from the site. Any run off must not exceed green field rates. Any increase in surface water generated by the development or existing surface water/ ground water issues on the site must be alleviated by the installation of a suitable drainage system within the site. The Authority supports the use of sustainable urban drainage systems. Full design and maintenance details of the proposed sustainable urban drainage scheme needs to be submitted for consideration. The proposed details of discharge rates and locations should be submitted to the Authority. The applicant will require consent from the Environment Agency to discharge into Saltergill Beck.

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.

The Environment Agency

We have 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 of the proposed discharge rate and how it was calculated.

Details of the existing drainage network and discharge location.

Confirmation the proposed network operates without flooding up to the 30 year peak storm event.

Confirmation that any flooding from the proposed network up to the 100 year peak storm event is retained on site at no risk to people or property.

Consideration for climate change.

Details of the proposed outfall to the watercourse.

Details of the sustainable drainage measures to be incorporated into the design.

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

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

Informative: The applicant should be aware that the Saltergill Beck is a main river and as such any works in, over, under, or within 5 metres will require the prior written consent of the Environment Agency under the Water Resources Act 1991.

Condition: Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the Saltergill Beck shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

plans showing the extent and layout of the buffer zone

details of the planting scheme (for example, native species)

details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
details of any footpaths, fencing, lighting etc.

Reasons: Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside Saltergill Beck is valuable for wildlife and should remain free of development. Article 10 of the Habitats Directive also stresses 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.

Informative: Our records show that there could be Water Vole in the area. These are protected under the Wildlife & Countryside Act 1981. Further guidance can be found at Natural England's website <http://www.naturalengland.org.uk/>

We would also like to offer the following informatives:

Flood Risk:

There are limited flood zones associated with the Saltergill Beck. Looking at the indicative layout, the footprint of development is not in this area, however should any residential plots backing on to the beck remain at the same extent, we would require details of any planned fencing along the bottom of the plots. Any fencing in that area should be designed to allow flood water to pass through it, therefore reducing the risk of any associated increase in flood risk to adjacent areas.

Foul drainage:

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

Private Sector Housing

The Private Sector Housing Division has no objections or comments to make to this application at this stage.

Highways Agency

The Highways Agency has reviewed the application and has no objections in principle to the development.

The Ramblers Association

This drawing shows a link to Saltergill Lane via the site of former Saltergill School to the west of the development area.

Saltergill Lane is a quiet byway, which connects with the network.

Consequently we withdraw our objection.

Tees Archaeology

There are no known sites of archaeological interest in the area indicated. A large part of the site can be considered brownfield from the existing uses and these will have sterilised archaeological remains should they have existed.

I therefore have no objection to the application and have no further comments to make.

Spatial Plans Manager

The site is outside of the limits to development, therefore policy EN13 of the Local Plan applies.

Core Strategy Policies CS1, CS2, CS3, CS6, CS7, CS8, CS10 and CS11 are also of relevance.

In accordance with the Open Space, Recreation and Landscaping SPD and open space requirement and contribution may be required.

Natural England

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 have considered the proposal against the full range of Natural England's interests in the natural environment. Based on the information provided with the application, our comments are as follows:

Bats - Buildings

The survey work has identified the presence of a common pipistrelle maternity roost. It is noted that the applicants have developed a bat mitigation scheme and intend to obtain a Natural England licence. As such, based on the information provided, Natural England advises that the above proposal is unlikely to have an adverse effect in respect of species especially protected by law, subject to the following conditions (with reasons):

No development shall take place unless in accordance with the mitigation detailed within the protected species report 'An Extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm,' E3 Ecology Ltd., August 2009 including, but not restricted to adherence to timing and spatial restrictions; provision of mitigation in advance; undertaking confirming surveys as stated; adherence to precautionary working methods; provision of a bat loft.

Reason: To conserve protected species and their habitat.

Bats - Trees

The report states that trees on site generally have low potential for roosting bats. However, it is noted that this assessment was made on the basis of the previous development proposals with the indicative site plan seeming to suggest that the current proposals may lead to a greater level of tree loss. As such, once the detailed scheme has been finalised and the actual extent of loss is known, a further assessment of the bat roost potential of trees to be felled should be made. The results of this survey should be submitted as part of any future reserved matters application and should be supported by an appropriate mitigation plan / method statement.

In addition, as the site has been identified as offering moderate / good quality foraging / commuting habitat, as per the mitigation outlined at Section D3 of 'An extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm' E3 Ecology Ltd., 12th August 2009 the final scheme design should look to retain / create features which may be used by foraging / commuting bats.

Great Crested Newts

It is noted that ponds both within and outside of the application boundary have been surveyed for great crested newts with no evidence of presence recorded. However, the report does acknowledge that the use of the site by small numbers of individual GCNs cannot be discounted. As such Natural England has no objection to the proposals subject to a condition being attached to any permission which may be issued requiring the applicants undertake all works in accordance with the GCN Method Statement included at Appendix 2 of 'An Extended Phase 1 and Protected Species Survey of Land at Tall Trees, Yarm,' E3 Ecology Ltd., August 2009.

Badgers, Breeding Birds, Reptiles

In relation to badgers, breeding birds, reptiles and water voles, the LPA should consider the proposals in light of the Standing Advice issued by Natural England on 22nd February 2011 which can be accessed via the following links.

http://www.naturalengland.org.uk/Images/Badger%20feb11_tcm6-21692.pdf

http://www.naturalengland.org.uk/Images/Breeding%20Birds%20feb11_tcm6-21703.pdf

http://www.naturalengland.org.uk/Images/Reptile%20feb11_tcm6-21712.pdf

http://www.naturalengland.org.uk/Images/Water%20Voles%20feb11_tcm6-21714.pdf

Habitats

Natural England is disappointed that the indicative site plan suggests semi-natural habitat will be largely lost from the site under the current proposals. We would therefore urge the applicants to give further consideration to the creation / enhancement of habitats on site and integration with the existing biodiversity interest. In particular, the Protected Species report recommends the creation of a buffer zone between the development site and River and any future reserved matters application should clearly demonstrate how this will be achieved. We would also expect detailed scheme design to incorporate native tree / shrub planting and hedgerows as per the recommendations of the Protected Species report. Natural England recommends that this information is submitted as part of any future reserved matters application in the form of a Habitat Management Plan or similar.

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be consulted on any additional matters, as determined by the LPA that may arise as a result of, or are related to, the present proposal. This includes alterations to the application that could affect its impact on the natural environment. 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. Should you wish to discuss this response please do not hesitate to contact me at the above address. Please forward a copy of the decision notice to our office at the above address.

Countryside & Greenspace Development Manager

Biodiversity

My main concern with this development is the potential impact it will have on any semi-natural habitats alongside Saltergill. The gardens to the rear of the Exec Housing plots 1 -6 seem to extend quite close to the beck. Retaining a wider, natural green corridor alongside the beck would be beneficial for wildlife and provide an enhanced landscape setting for the development.

Landscape

Measures should be put in place to mitigate the impact this development will have on this rural landscape. This would include the retention of existing trees and hedgerows around the perimeter of the development site. Additional tree and hedge planting should be carried out to enhance the landscape setting of the development.

Sustainable transport

Provision should be made to provide new or improved cycle or footpath links from the development to Yarm and Yarm Station, alongside the B1264. This will also deliver improved access to nearby public rights of way, providing recreational opportunities for residents.

One North East

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

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

Currently One North East is responsible for the development, delivery and review of the Regional Economic Strategy (RES) on behalf of North East England. The RES sets out how greater and sustainable 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.

Outline planning permission is sought for the development of 157 dwellings, described as 'executive' housing by the applicant on land within the curtilage of Tall Trees Hotel which is located on the south side of the B1264 in Kirklevington.

The Agency is aware of the extant Outline planning permission granted in 2005 for 250 apartments and hotel extension including leisure and business centre and involving the demolition of the nightclub, function rooms and leisure facilities. However, as this application pre-dated One North East's role as a statutory consultee, the Agency was not formally consulted on those proposals.

I understand that, although some initial works have been carried out in respect of the hotel alterations, the apartments have not been developed. The applicant makes the case that, by virtue of the fact that the previous permission has been partly implemented, therefore the previous approval for the 250 apartments could also be implemented without further approval.

The Agency notes that the development of this site for housing represents a departure from the Council's recently adopted Core Strategy's policies as it represents housing outside of defined core development area. However, the Agency notes the applicant is arguing that the new scheme is a financial enabler to ensure the hotel and additional facilities can be developed.

It is also noted that, based on the extant permission, the site appears on the Council's list of 2010 Deliverable/Developable SHLAA Sites¹. Clearly the merits of the housing development in this location in policy terms are a matter for the Local Planning Authority (LPA) to decide.

With regard to the type of housing provision, the applicant indicates that there will be a mix of house types: 58 detached units, 18 town houses and 81 apartments with the intention for the housing to be high quality 'executive' housing. The applicant refers to the Council's Core Strategy DPD (adopted March 2010) and the evidence collated for the Council's SHMAA which highlighted a need and demand for executive housing in the Tees Valley.

One North East believes that better alignment of housing supply and demand can have a positive effect on the economy and allow the region to contribute to the achievement of RES objectives, the Northern Way and government targets. In this regard the Core Strategy DPD's support for the provision of 'executive' housing as part of housing schemes offering a range of housing types is recognised and endorsed by One North East. Clearly the proposed housing provision offered by this scheme should also seek to satisfactorily address the need for affordable housing whether provided on or off-site.

In the above context, I confirm that subject to the LPA being satisfied that the number and type of housing units in this location, together with any required affordable housing, are acceptable, One North East would raise no objection to the type of housing proposed.

As you are aware the RES promotes the need for quality of place within existing and proposed development. Agency initiatives include delivering developments/regeneration schemes to comply with a set of Quality Design Standards. The aim is to deliver buildings which are over and above Building Regulation Standards and demonstrate best practice in areas of accessibility, sustainability, whole life costing and general design standards. With this in mind, the Agency would request the LPA to encourage the developer to pursue the highest standards of quality in the development of this site (e.g. Code for Sustainable Homes, Building for Life and Secured by Design) particularly since the application's supporting information does not appear to make reference to issues around renewable energy provision.

Regarding this aspect of the development, it should be noted that the UK Renewable Energy Strategyⁱ sets a target for 15% of the UK's energy to come from renewable sources by 2020, which represents a seven-fold increase from 2008 levels. New development will make an important contribution towards meeting such targets and therefore in line with Planning Policy Statement 22², One North East recommends that at least 10% of the development's energy should come from renewable sources. We would further recommend that this target only be waived in exceptional circumstances where a compelling body of evidence is available to justify why renewable energy should not be used.

It should be noted that both the Feed-in-Tariff³ and the Renewable Heat Incentive (RHI) make renewable energy proposals much more commercially viable. The Agency would therefore encourage the applicant to test the use of various technologies, factoring in the financial incentive provided by these policy instruments. It is also worth noting that the Government's Green Deal is expected to be available in 2012. The upfront finance will be attached to buildings' energy meters. Repayments over time, at a rate less than the savings on bills, will mean a benefit from day one, helping to save carbon, energy and money off fuel costs. The full RHI tariff payment for homes will commence alongside the Green Deal. However, between July 2011 and the start of the Green Deal, installations may qualify for a RHI premium payment to help cover the cost of equipment.

Maximising energy efficiency measures and renewable energy generation will contribute to limiting carbon emissions and maintaining the regional reputation as a leading player in the development of a low carbon economy. Clearly, if the development is to contribute to the UK's energy reduction targets as outlined above then the incorporation of appropriate technologies should be considered at this stage in the development process.

In addition to the above, 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. Given the scale and type of this development, it would be beneficial if the proposals incorporated charging point infrastructure within the dwellings to ensure that the development is 'EV ready'. This provision would also serve to underline the applicant's intention to make this a sustainable housing development and could prove to be a selling point for the homes.

One North East requests that the LPA requires the above energy efficiency and design quality issues to be addressed through the imposition of appropriate conditions at this outline planning permission stage to ensure that these matters are properly addressed in the development process.

One North East can provide the applicant with guidance on which of the above technologies are appropriate, signposting to key stakeholders in the region who can provide additional support and ensuring the development receives much greater profile due to its low carbon credentials. Should the applicant require further information regarding any of the renewable technologies outlined above he can call Wendy Hetherington in the Planning and Housing Team at One North East on 0191 229 6392 or for details relating to electric vehicle charging infrastructure contact the electric vehicle project team directly at: chargeyourcar@onenortheast.co.uk or 0191 229 6834.

Subject to the satisfactory resolution of the above policy and renewable energy issues together with any highway and environmental issues and in the event that the LPA is minded to approve the application, One North East raises no objection to the proposed development.

This application is in outline only. 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.

PUBLICITY

11. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement which involved advertisement in the press, exhibition at Tall Trees with invites to local residents, Yarm Town Council and Stockton council members. It concludes no fundamental objections to the proposal or issues raised.

12. Local residents have been individually notified of the application and advertised on site and comments received are set out below: -

David Claybrook, 3 Goulton Close, Yarm

I am writing to object to the above application on the grounds of the additional traffic it would generate in particular the fact that the Green Lane Railway Bridge has alternate line traffic controlled by lights. The additional traffic generated by this development will cause severe congestion at this point. If planning permission is granted a condition should be that funding is provided by the developer to widen the Green Lane Railway Bridge to 2 way traffic to ease congestion. The previous scheme out forward by the developer for this site included a mini bus shuttle to Yarm High Street from the site which quite frankly was ludicrous I would suggest that the planning committee is not fobbed off by similar schemes to ease congestion this time when considering planning permission.

Traffic problems caused by the Tall Trees site are best illustrated by the additional traffic generated by children's discos when the traffic in the whole Yarm area is made significantly worse during rush hour when it is already very busy the Thirsk Road/ Green Lane Roundabout is a particular problem at this time. As most residents of new homes built on this site would be using roads at this time this is likely to become a nightly rather than as at present an occasional problem.

Mr and Mrs R Redfern, 1 Sefton Way, Worsall Road.

We can only repeat what we have said regarding the previous applications for this site – where is the infrastructure.

Yarm is a bottleneck now – over 150 dwellings means at least another 200+ cars – where are they going to go? The entrance/exit on a 'B' road is just not feasible.

Owner/Occupier, Paddock End, Green Lane

The above will be an overdevelopment of the area, which will cause more traffic on an already congested road system, also an overload on the stretched current amenities of schools, health centre and Yarm High Street.

Mr P R Horner and Mrs L Horner, 26 Carew Close, Yarm

We oppose the above application for the Tall Trees Development, my reasons are as follows.

- 1) Increased volume of traffic on green lane / worsall road and allerton balk.
- 2) Adding to existing housing numbers in an area whose infrastructure cannot support the increase.
- 3) Spoiling the green belt appearance and most important opening the door for future developments (we do not want another mini Ingleby Barwick)
- 4) Increase pressure on local schools and parking in yarm / traffic increase.

Robert Bilham, 10 Troutsdale Close, Yarm

Increase traffic on an already busy small road raising noise, congestion and safety concerns

A Hampson, 52 Knaith Close, Yarm

I oppose the application for a number of reasons; increased volume of traffic on Worsall Road and Allerton Back; increase pressure on local schools; destruction of green/aesthetically pleasing location; closure of local amenity i.e. hotel, gym etc; increase in possibility of flooding due to building on this land; this opens the door to more applications for building outside the Yarm boundary and will be detrimental to the town in the long term.

G Wells, 24 Carew Close, Yarm

If granted this development will be in what used to be called the 'Green Belt' and will almost certainly be the first of other developments east and south of Yarm. It is common knowledge that Morley Carr is a leased farm and has been for a long time, it probably being owned by a land development company.

Do we in Yarm want or need another 300 plus vehicles in such close proximity to Yarm High Street. Until solutions are found to Yarm's traffic problems we need fewer cars in Yarm and not more. I object.

Mr and Mrs D Page, 34 Carew Close, Yarm

The introduction of such a significant number of new houses to the site will have a number of negative effects on the residents of Yarm.

The increase in traffic to and from the site is not supported by the traffic infrastructure. The development has no amenities of its own and so there will be an obvious increase in traffic flow to and from Yarm. The junction between Worsall Road and the High Street/Spital Road, and the High Street/Spital Road do not cope with the current flow of traffic and so will be overwhelmed by any additional vehicle use. The single file access over the train line on Green lane will also become more of a problem with an increased flow of traffic – which is particularly problematic, for safety reasons, due to its close proximity to the local school entrance gates.

The extremely pleasant green fields and river views which surround this edge of Yarm contribute to the overall charm and popularity of Yarm itself and the estate in particular. To remove a portion of these will have a negative impact on the pleasant aesthetics of this area and the general wellbeing of those who live on this estate and utilise these areas for recreational use.

Due to the location of the proposed development, allowing it to progress will "open the door" for further development applications. These will then lead to greater impacts on the local services within Yarm itself.

Due to the increase in population all of the local services, such as schools, doctors, NHS dentists etc, will become pressured even further. Are the civic amenities sufficient to cope with such an increase in numbers?

There will be a significant increase in vehicle noise pollution from both Allerton Balk and Green Lane which will affect the whole of the estate which these two roads enclose.

In summary, my husband and I believe that the proposed development should not take place as Yarm is already overwhelmed in a number of areas highlighted above by its current population. The development would have a negative impact upon both on the local residents wellbeing and safety.

Mrs P Brooks, 20 Kingsdale Close, Yarm

During rush hour there are already queues along Green Lane to cross the railway bridge and along Worsall Road to access the high street. A large residential development like this will dramatically increase the number of cars on these roads at peak times. The current road system will not support an increase in traffic that extra 157 dwellings will produce.

J Stevely, Meadowdene, Green Lane

I wish to strongly object to the above development for the following common sense reasons: - A total of 157 dwellings could produce more than 300 cars. Estimating journeys – that could be around 1,000 cars up and down Green lane each day – a 'B' road. This is in excess of acceptability. The numbers speak for themselves.

There are not enough places in the local doctors surgery to accommodate this development. This was established the last time there was a planning application for this site a few years ago.

The narrow bridge will cause traffic hold ups directly outside my house – congestion.

There are no shopping facilities within the local area to accommodate this development.

Children from Conyers School on Green lane may be put into a dangerous situation with all the extra traffic.

Local people are aware that Mr Muzid already has purchased the Saltergill School site which he may request for further development in the future. Thus causing more congestion in the future.

Christine Lawson,

My main objection is concern over the invasion of privacy to neighbouring properties, including Yarm Lea from the dwellings proposed to be built close to the B1264.

Yours Sincerely

Mrs Lawson

David and Linda Bate,

I wish to register our opposition to this proposed development. Our grounds for this are that this is a sizeable residential development outside the existing built up area, which is going to generate a significant amount of traffic into and through Yarm. I know that there is a travel plan, which I have read, but with the best will in the world, purchasers of this class of property are going to use their cars for commuting, shopping and transporting children to school. The development has no facilities of its own, and residents are going to seek these facilities, in the first instance, in Yarm.

The road into Yarm from the south - the Spital/Thirsk Road and Worsall Road are already overburdened at peak times, and indeed at many other times of the day. In fact the Spital is almost a 'no go' area at school run times.

This proposal will to our mind place an unacceptable burden on existing roads and exacerbate the parking problem in Yarm

David Keith Powell, 17 Ash Grove, Kirklevington, Yarm

I wish to request that if you do allow this or a smaller development of houses on this site, you bare in mind the third class development that this developer has given us on the old 'Country Club' site in Kirklevington on the A67 road.

Not only is it overdeveloped and the properties of poor external appearance, but the boundaries and grass verges fronting on the road are unkempt and result in a poor introduction to the borough of Stockton-on-Tees from the A19/A67 road. The developer has spoilt what could have been an attractive development into something that is a blot on the landscape of the village for visitors and residents alike.

So I would ask you to take a very close look at this monstrosity, and ensure that he tidies the area up, and then apply strict rules to this latest development at Tall trees.

It could also be considered relevant that the number of proposed properties is inappropriate on such a wining road, with the pinching of the road at the railway station, given his plans to improve and develop further the Tall Trees Hotel.

So could you please give these matters your careful consideration, as I and my neighbours, have felt so let down by the 'Old Country Club' development, and so are concerned that another 'third rate' development could be produced.

D & A McCormack, 9 Troutsdale Close, Yarm

Any development on Tall trees will have a big impact on the traffic flow on Green Lane especially over the bridge at the station.

This is already a very busy road with testate and school traffic and wagons travelling from the quarry at Scorton. There has been 3 RTA's in three last years outside Tall trees. The road is not suitable for the additional traffic a development would generate. For volume of traffic and the noise it creates we are against any development on the Tall trees site.

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 (PPS4) : 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 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.

Regional Spatial Strategy (RSS) for the North East of England July 2008

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 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

Saved 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 to provide appropriate compensatory measures.

Saved Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
- (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or

(v) It is a small scale facility for tourism.

SITE AND SURROUNDINGS

15. The existing hotel is located to the south of the B1264 known as Green Lane in Yarm. Far End Farm bounds the site to the east and the former Saltersgill School to the west. The site can be viewed from the road and has a flat topography, excluding the few landscaped mounds, which exist on the frontage to the site. Beyond the view from the road, behind the existing buildings the land slopes away significantly to Saltersgill Beck. The front landscaped area of the development is dominated by a large expanse of a tarmac car park.

MATERIAL PLANNING CONSIDERATIONS

16. 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, the impact on the privacy and amenity of neighbouring residents and highway safety and other material planning considerations.

Principle of Development

17. National planning guidance as set out in PPS1: Delivering Sustainable Communities, PPS7: Sustainable Development in Rural Areas and PPS3: Housing, all of which 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.

18. 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.

19. 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 proposed housing are sufficient to outweigh rural restraint policies.

20. 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.

21. In terms of the extant planning permission for the extension of the hotel and development of 250 apartments, it has always been considered that the combination of a 5* hotel and high quality residential accommodation together will act as a lever within the local area and the sub-region and this went to the heart of the original submission. The primary reason for granting planning permission was the economic benefits that a prestigious development would bring to the area and it was accepted that there was a functional and practical relationship between the expansion of the

hotel and the residential units. The applicant states that this position has not changed today. In order to fund the expansion of the hotel, it remains the case that investment from residential development will be required. The applicant states he is unable in the short to medium term to proceed further with the executive apartments because of adverse market conditions.

22. Following the previous approvals, works have taken place and the permission is now extant without any conditions outstanding. Along with the established precedent for the development of the site, the nature of the extant permission acts as a significant material consideration in the determination of this application.

23. It is considered that the enhancement and expansion of the offering of Tall Tress Hotel will provide a facility that is needed within the borough for hotel accommodation and conference/event destination of a high quality. Consequently the principle of connecting a development with the hotel that will help to facilitate this can be supported in principle. Furthermore the combined facilities of a quality hotel and bespoke executive dwellings set within a quality landscape offer will specifically meet the demand for executive style homes to accommodate managers and highly skilled people working in local industries but who currently choose to live outside the borough.

24. 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.

25. 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. There appears to be an inflow of people into the Tees Valley looking for larger houses and an outflow of people looking for a better area. The challenge for local authorities is to provide larger houses in the better areas of the Tees Valley to help attract more and retain more mid-upper income households.

26. 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 the Tees Valley that have the potential to offer the location attributes such households are looking for.

27. 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 chose 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 to the region.

28. It is considered that the proposal as an enabling development for the delivery of a prestigious hotel can be supported and will provide a valuable type of housing not currently well represented in the Borough's housing stock and that the proposed development coupled with an improved and expanded hotel 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.

29. It is accepted by the applicant that the 'executive' housing component of the proposed Tall Trees development should not occur independently to that of the hotel expansion but the ability to redevelop the hotel cannot happen without the financial contribution that is to be made by the development and sale of the executive housing plots. The development will adopt a phased approach. Corresponding phases will be undertaken between both the hotel and the 'executive'

housing and a planning condition will prevent the development of the housing exclusively of the hotel.

Sustainability

30. In order to enhance the sustainability of the development a combined footpath/cycle link from the development to Yarm Station is proposed together with a travel plan that may mitigate some of the environmental impacts of the scheme.

31. In order to fully reflect the objectives of Core Strategy Policy 3 (CS3), the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. It is proposed to secure this through a planning condition. Furthermore a condition requiring the dwellings to be built to Lifetime Homes Standards and achieve a minimum of Level 3 of the Code for Sustainable Homes has been recommended.

32. Given the scale and type of development, One North East states it would be beneficial if the proposals incorporated charging point infrastructure within the dwellings to ensure that the development is 'EV ready'. This provision would also serve to underline the applicant's intention to make this a sustainable housing development and could prove to be a selling point for the homes. It is considered that this is a reasonable request given the nature of the proposed dwellings and has been conditioned accordingly.

Landscape and Ecology

33. The Tall Trees Hotel is situated on the southwestern outskirts of Yarm with neighbouring habitats to the north featuring predominantly arable with occasional field boundary trees. To the south lies Saltergill Beck identified as a Site of Nature Conservation Importance (SNCI) and Saltergill Plantation, which includes areas of mature broadleaf woodland. The hotel grounds encompass the existing hotel buildings and associated parking, mown amenity grassland and unmanaged grassland. A wooded valley borders the southern site boundary.

34. It is acknowledged that the development will bring about a change to the area with the site appearing less open than it is now. Equally these changes may in some respects be beneficial by improving the quality of the buildings and secure a better quality landscaping in which the buildings sit.

35. 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.

36. The applicant had carried out an extended phase 1 survey of habitats that has been examined by Natural England. The report sets out a number of measures to mitigate potential impacts and appropriate planning conditions are recommended accordingly.

37. 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.

38. The location of the development is sufficiently separated from existing dwellings and it is considered that the proposed dwellings would be 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.

39. 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

40. 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 an informative is attached to notify the applicant of their responsibilities in respect of works, which may affect utilities.

Traffic, access and highway safety

41. Traffic generated by the proposed development is one of the concerns of local residents. The Head of Technical Services notes that the site has an extant permission for an extension to the existing hotel and 250 apartments. This current application proposes to revise the scheme and it is supported by a Transport Statement and Travel Plan. The trip generation for the site was calculated after the national database (TRICS) was interrogated for trip generations of similar developments and is therefore considered to be robust. The predicted trip generation is expected to reduce by 59 in the morning peak and 91 in the evening peak against the consented development. The Transport Statement demonstrates that the highway will operate satisfactorily in peak periods with the additional development traffic.

42. The location is currently considered unsustainable for new development due to its lack of pedestrian connectivity with the town centre, schools, surrounding residential areas, and bus/rail travel facilities. However, a shared footway/cycleway is proposed as part of this application along B1264 Green Lane which would provide the necessary sustainable link to Yarm Station, Conyers Secondary School and towards Yarm High Street. The provision of this footway/cycleway is detailed in the Heads of Terms for the S106 Agreement.

43. The S106 Agreement also details a contribution of £100 000 towards improvements to parking in Yarm town centre. This is required as additional residential dwellings are likely to utilise local shopping facilities and impact on existing parking that is currently at a premium.

44. The revised layout indicates 62 executive dwellings, 81 apartments and the layout is indicative only, however there is sufficient space to achieve an acceptable layout that is permeable throughout the site with potential links to the wider countryside, provide appropriate footway and carriageway widths and adequate car parking.

45. Should the development be approved it will be necessary for future reserved matters applications to be constructed to the Council's Design Guide and Specification current edition and Supplementary Planning Document 3: Car parking provision in New Development. A Stage 1 Road Safety Audit should also be submitted along with details of how refuse including recycling will be managed for the site.

46. The existing access is used for the site onto the B1264, visibility is acceptable in both directions and an existing ghost right turn provides access to the site for vehicles turning from the west.

47. During construction, measures should be taken to ensure that the highway and its users are not adversely affected by HGV and delivery traffic. A Construction Management Report should be submitted detailing construction times and routes including deliveries and wheel washing facilities where necessary.

48. In conclusion 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 subject to controlling conditions.

Other matters

49. The development site is located to the north of Saltersgill Beck and falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. The Environment Agency and Northumbrian Water have no objection to the proposal subject to appropriate controlling conditions.

50. The applicant has agreed to enter into a Section 106 Agreement to provide a commuted lump sum of £154,000 by way of contribution to be provided towards the provision of a combined footpath/cycle link from the development to Yarm Station and £100,000 towards the provision of car parking in Yarm Town Centre. A Local labour agreement also features as part of the Section 106, which is acceptable to the Council's Labour Market Co-ordinator.

51. 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". The applicant states that the costs of the construction of the approved hotel expansion are significantly greater than the likely value yielded from the land value for executive housing. This means that the scheme does not have the financial ability to readily contribute to all the Council's aspirations for financial contributions from new development and also fund the hotel expansion. It is against this assessment of the state of finance for the proposals that the Council's requirements for contributions to Affordable Housing, Public Open Space (POS) and Highways etc needs to be considered.

52. The applicant states that if the development does not go ahead, the existing facilities at Tall Trees hotel will be forced to cease trading. This point is made in recognition that without substantial extension and improvement, the hotel cannot attract significant new visitors to the Tees Valley. Without increasing turnover, it is not viable in the current climate. At the present time, along with other higher quality hotels, Tall Trees is not a profitable or viable enterprise.

53. Council Officers have examined the financial information made available by the applicant and it is considered that the construction costs associated with the approved hotel expansion do exceed the likely land value for the housing and it is considered that it would not be feasible to meet the level of affordable housing and other contributions normally required for the scale of development and still be economically viable and would therefore preclude the desired objective of the provision of a 5* hotel delivered for the benefit of the Borough. It is therefore considered that the levels of contributions agreed are acceptable in this instance.

54. However, specifically in relation to open space, the applicant refers to his ownership of the former Saltersgill School site with the specific intention that it is to be used to offset the open space the Council would otherwise seek from the development by way of a financial contribution. In order to secure the detailed arrangements a planning condition is recommended.

55. Concerns have been raised that local facilities and services will not be able to accommodate the increase number of residents arising from the development. Also that no new development should be allowed in Yarm in that the area has reached capacity. There is no evidence to substantiate this claim.

CONCLUSION

53. It is considered that the principle of this form of 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 appropriate planning conditions to secure necessary controls over the development.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Gregory Archer Telephone No 01642 526052

WARD AND WARD COUNCILLORS

Ward **Yarm**
Ward Councillor **Councillor A B L Sherris**

Ward **Yarm**
Ward Councillor **Councillor Mark Chatburn**

Ward **Yarm**
Ward Councillor **Councillor Ben Houchen**

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

PPS3: Housing

PPS4: Planning for Sustainable Economic Growth

PPS7: Sustainable development in rural areas

PPS9: Biodiversity and Geological conservation
PPG13: Transport
PPG17: Planning for open space, sport and recreation
PPS22 Renewable Energy
PPS25: Development and Flood Risk

Application numbers 04/3905/EIS, 06/3419/REM and 08/0613/REM.