

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 29 JUNE 2011

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

11/0113/FUL

**Land Parcel At 443990 514012, Blair Avenue, Ingleby Barwick
Development of 48 no. retirement apartments with associated communal facilities**

Expiry Date 2 May 2011

SUMMARY

The Full planning application seeks the erection of a 48 apartment, 2 storey building with associated access, car parking, gardens and landscaping and also a public community park on an overall site area of approximately 1.76 hectares. The main planning considerations relate primarily to planning policy implications; the visual impact including the loss of Green Corridor; traffic and highway safety and other material considerations.

The land is within the overall settlement boundary for the settlement of Ingleby Barwick but not within any of the Village areas as defined by versions of the Master Plan and agreed by Members. The land not previously developed having been left vacant since its last agricultural use except for it having been planted up with trees some 20 years ago. Although the Ingleby Barwick Master Plan as revised in 1991 was not formally adopted it has been used by the authority as the Master Planning document for the allocation of land and determining of planning applications for housing and other developments in Ingleby Barwick and can therefore be given some weight in considering this current application.

There have been previous planning applications for development on this application site which were either refused or withdrawn prior to determination. Therefore there is no established principle from previous consents by this authority or won on appeal that this land is acceptable to be developed. This is different to the adjoining Roseville Care Centre site where there has been a history of planning approvals dating from the granting of approval under reference No.03/2212/OUT for outline application for the erection of a community centre and children's day nursery and associated car parking. That site only included the land occupied by the Roseville Care Centre development.

There are objections from the Spatial Plans Manager that the application is contrary to Core Strategy policy CS10 as the land was identified in the 1991 Master Plan as part of the local open space system and the proposal does not maintain the quality of the urban environment, or protect and enhance the openness and amenity value of urban open space. The Head of Technical Services has also objected on Landscape and Visual grounds as it erodes the integrity of the green corridor designation in the Open Space Audit known as The Blair Avenue Green Corridor.

The application has been publicised by means of site notice, local press and individual neighbour notification letters. Thirty three letters of representation objecting to the development have been received, although one partly supports the application as well. Ingleby Barwick Town Council objects to the application. The primary objections are the principle of and need for development at this location; that it would set a precedent for development on all the site area; highway safety including traffic generation, access and numbers of parking spaces; the impact on the appearance and character of the area in terms of scale and design; residential amenity and privacy including the amount of amenity/garden space; the lack of refuse and recycling storage; enforcement issues; and other material and non-material planning concerns.

The Head of Technical Services Highway advice is the proposal is acceptable in highway terms. The number of car parking spaces has been increased from the original submission to 56 with 6 of those spaces being designated for disabled users, which is acceptable for this development.

It is considered that the proposed development is contrary to Core Strategy policy CS10 as the proposed development would not maintain the separation between 'Village' settlement areas of Ingleby Barwick and would not protect or enhance the openness and amenity value of urban open space

RECOMMENDATION

Planning application 11/0113/FUL be Refused for the following reason

01. *In the opinion of the Local Planning Authority the proposed development would be contrary to the Ingleby Barwick Master Plan which is the relevant master planning document for Ingleby Barwick and identified the site as part of the local open space system for maintaining the separation of the Villages and as the proposed development would not maintain the separation between 'Village' settlement areas of Ingleby Barwick and would not protect or enhance the openness and amenity value of urban open space it would therefore be detrimental to the quality of the urban environment contrary to Policy CS10 of the Adopted Core Strategy.*

HEADS OF TERMS

If members were minded to grant planning permission a Section 106 Agreement would be required to include the following Heads of Terms:

Open Space Provision Contribution
Affordable Housing Off-Site Contribution
Legal Expenses Contribution

BACKGROUND

- 1. Planning History of the Application Site**
2. The planning history for the application site includes two applications both of which were withdrawn before a decision was made.
3. An Outline application reference No.05/0870/P relating to an area of some 2.937 hectares including all the land between the housing of Snowdon Grove and Rowen Close and the cycle way alongside Myton Way was submitted in March 2005 by the Nunthorpe Nurseries Group Ltd. The application sought approval for a mixed use development named the Eco

Park comprising a children's day nursery, community centre, retail, pub/restaurant, industrial starter units, health and fitness centre and office uses as well as an area at the western end of the site dedicated to public open space purposes. The application was withdrawn following concerns raised by the scale and type of development proposed as well as traffic issues. There was also a large amount of public objection to the proposal primarily on the grounds of traffic, loss of open space as well as opposition to the uses proposed.

4. A revised Outline application in 2006 reference No.06/0823/OUT, for the same area but which increased the amount of open space provision and deleted some of the more contentious industrial and commercial/retail uses was refused by Members for the following reasons:
 1. In the opinion of the Local Planning Authority it is considered that the proposal would be detrimental to highway safety and the free flow of traffic in Ingleby Barwick due to giving rise to severe congestion, the provision of unsafe access to the development, an unacceptable internal layout and insufficient parking provision, contrary to policies GP1 and TR15 of the adopted Stockton on Tees Local Plan.
 2. In the opinion of the Local Planning Authority the application has failed to prove either sequentially or in terms of the need that the town centre elements of the development are justified in this out of centre location contrary to policy S2 of Alteration No 1 to the adopted local plan and Planning Policy Statement 6.
 3. In the opinion of the local planning authority the proposed siting of the buildings and other structures for which permission is sought would have an unacceptable adverse impact on the amenity of existing and future occupants of neighbouring properties contrary policies GP and S17 of the Adopted Stockton on Tees Local Plan.
 4. The application has failed to provide a Flood Risk Assessment to demonstrate that the development would not exacerbate flooding problems downstream within the catchment area contrary to the requirements of PPS25.
5. **Relevant Planning History of the Adjoining Roseville Care Centre Site**
6. The adjoining Roseville Care Centre site has a longer and more complex planning history and the significant applications are as follows.
7. An Outline planning permission in February 2004 for the development of 0.5 hectares of that site for a community centre and children's day nursery with associated car parking was approved under reference No.03/2212/OUT. All matters were reserved for future approval and the decision expired on 03/02/09.
8. Application reference No.06/3752/OUT was allowed on appeal for Outline application for mixed use development comprising 50 no. place children's nursery, 75 no. bed old peoples home, 816 square metre Primary Care Trust building together with associated means of access and car parking. The local planning authority had refused permission for the following reason:
 1. In the opinion of the Local Planning Authority the proposed development would generate additional traffic in the area where the existing highway infrastructure is severely congested and would therefore be detrimental to the interests of highway safety contrary to the objectives of Planning Policy Guidance Note No 13 Transport.
 2. In the opinion of the Local Planning Authority the development would result in a loss of an area of land which provides a buffer between built development within the Ingleby

Barwick and as such would be detrimental to the visual amenities of the area contrary to policy GP1 of the adopted Stockton on Tees Local Plan.

3. In the opinion of the Local Planning Authority the development would result in a loss of an area of open space identified as part of the Local Open Space System in the Ingleby Barwick Master Plan (Revised 1991) to the detriment of the visual amenities of the area and contrary to policy GP1 of the adopted Stockton on Tees Local Plan

9. Two Reserved matters applications 07/0492/REM and 07/1136/REM for the erection of a children's day nursery, community centre (D2 use class), associated car parking and access road were allowed on appeal. The local planning authority had refused permission for the following reason:

a. In the opinion of the Local Planning Authority the location of the children's nursery building would not allow sufficient area around it to enable a satisfactory landscaping boundary treatment and would therefore be detrimental to the visual amenities of the area contrary to policy GP1 of the adopted Stockton on Tees Local Plan

10. Conditional planning permission was granted at the Planning Committee on 29 April 2009 for the 'Erection of mixed use development for 75no bedroom residential nursing home and 816sq.m private medical centre building and associated vehicular access and car parking' by application reference No. 08/2977/FUL. Development then proceeded on site but not in accordance with the approved scheme.

11. An application was made under reference No.10/1778/FUL for part retrospective application for mixed use development comprising 81 No. bedroom residential care home, 2no. sheltered accommodation units containing 24no. apartments and associated access, parking and landscaping. This was allowed on appeal but refused by the authority for the following reason:

1. In the opinion of the Local Planning Authority the proposed development is contrary to the guidance in Planning Policy Statement 1 and Planning Policy Statement 3 that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted and developments should be designed as places where people will wish to live and include good amenity space The proposed site is considered to be overdeveloped and therefore deficient in amenity space for the residents and is not considered to result in good design or good planning contrary to Government advice in PPS1 Delivering Sustainable Development and PPS3 Housing.

12. Relevant Applications on Other Sites

13. Other applications of interest are that Persimmon submitted an application under reference No. 09/0012/FUL for the substitution of 140 no. retirement apartments and 6 no. houses for 46 no. dwellinghouses and 12 no. apartments. This approval followed a lack of demand following advertising for over 55 accommodation and changed part of a partly developed housing scheme approved under reference No.05/0381/REM. That approval was a reserved matters application for residential development for 418 dwellings comprising 104 flats/140 sheltered apartments and 172 terraced, semi and detached houses together with associated means of access and landscaping.

PROPOSAL

14. The proposal is to erect a single two storey building containing 48 apartments and communal facilities on two floor levels positioned towards the eastern end of the site. The inverted 'T' shaped building would extend for some 107m and with bay projections it would be 23m in

depth. The building would be constructed of a buff brick, beige textured render, natural larch boarding, concrete grey slates and painted timber windows. The building would contain 32 one bedroom and 16 two bedroom apartments accessed from central corridors and with some communal facilities including a shared main access.

15. To the north of the building would be private communal garden areas for the residents use. The hedge along the northern boundary to the fields allocated as Village 6 would be retained. The land between the building and Blair Avenue and along the eastern boundary would be landscape planted. Detailed planting schedules have been provided.
16. Parking for 56 cars including 6 disabled would be provided to the west of the building with an access to Blair Avenue. The car park would be linked by paths to the apartment building. The area of site to the west of the car park with existing trees protected by a TPO would be retained as open space.

CONSULTATIONS

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

18. Councillor K Faulks

I object to this development. Please can I request a full traffic assessment? Email to follow.

19. Councillor Jean Kirby

Just looking at the plans on the above and there is no facilities for rubbish collection areas and re-cycling, bin stores etc. can you go back to them and ask for the plans to be re-drawn incorporating this facility please.

Whether it will be communal like the Persimmon ones but they have no facility to recycle and I believe recycling is important to SBC and this should be facilitated within the scheme like the previous apartments next door did. Looking forward to your comments on the matter.

20. Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered the additional information and plans provided to them in respect of planning application no. 11/0113/FUL. The Town Council would reiterate the previous concerns raised.

It is questioned as to whether there is a need for retirement apartments given that the previous proposal on a site in the nearby vicinity was eventually substituted by alternative accommodation due to the lack of interest in this type of unit.

The proposal could constitute an over-development of the site.

The application site is an area of open space adjacent to the 'major centre' which currently provides a natural ecological buffer between existing and proposed residential areas.

The application site is located on Blair Avenue, Ingleby Barwick adjacent to a care home and opposite both a primary and secondary school. This stretch of road is extremely busy and given its central location on the development provides access to one of the main routes into and out of the estate, Tesco, Myton Park shopping centre and various other facilities located within the 'major centre' of Ingleby Barwick. Traffic congestion and road safety issues are already a concern especially at peak times and during bad weather. This proposed development and the additional traffic which will be generated could cause further congestion.

Regarding the previous concerns raised in respect of inadequate parking provision, it is noted that the number of spaces to be provided has now been increased, as well as alterations to the car park and road layout. It is questioned as to whether the car parking provision is adequate for the size of the development?

It is also questioned as to whether the refuse/recycling facility is adequate for the development?

If the development is allowed to go ahead, it should be ensured that there is enough parking provision. Also, a S106 agreement to provide community facilities should be pursued and made a planning condition. The Town Council would be grateful if the above concerns can be given due consideration when determining the application.

21. Spatial Plans Manager

In the 1991 revision of the Ingleby Barwick Master Plan the area is identified as part of the "local open space system". The 1991 revision has been superseded by the 2002 revision. However, the 2002 revision is a schematic drawing relating principally to villages 5 and 6. Its purpose is specifically to guide the development of Village 5 and Village 6. Although the site is shown on the drawing (as it is on the southern periphery of Village 5) it is not therefore shown with any designation (although a "possible strategic cycle/footpath link" is shown running through it). I consider that, because of the specific focus of the 2002 revision on guiding the build out of villages 5 and 6, the 1991 revision, which takes a holistic overview of the Ingleby Barwick development as a whole, is the relevant master-planning document for the site.

The site is identified as a green corridor in the Open Space audit. The Planning Policy Guidance 17 Assessment shows that Ingleby Barwick has a high number of "excellent" green corridors. The Assessment also states "Standards are not to be set for green corridors, as they are to be opportunity led, however this does not undermine their importance..." Although there are a high number of green corridors the 1991 Master Plan appears to have envisaged them as part of an integrated "system" for maintaining the separation of the villages. The integrity of the system as a whole may therefore be compromised by the release of this land for development.

Policy CS10 (3(iii)) in the Adopted Core Strategy states that the separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of urban open space and play space. The application is therefore contrary to Core Strategy Policy CS10. Thank you for consulting the Spatial Planning team on the above application

The site is identified as a green corridor in the Open Space audit. The Planning Policy Guidance 17 Assessment shows that Ingleby Barwick has a high number of "excellent" green corridors. The Assessment also states "Standards are not to be set for green corridors, as they are to be opportunity led, however this does not undermine their importance..." Although there are a high number of green corridors the 1991 Master Plan appears to have envisaged them as part of an integrated "system" for maintaining the separation of the villages. The integrity of the system as a whole may therefore be compromised by the release of this land for development.

Policy CS10 (3(iii)) in the Adopted Core Strategy states that the separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of urban open space and play space. The application is therefore contrary to Core Strategy Policy CS10.

22. Head of Technical Service

General Summary

Urban design still object to this application in landscape and visual terms as stated in the comments below.

23. Highways Comments

In accordance with Department for Transport Guidance a development of less than 50 dwellings does not require any formal traffic assessment. However due to the traffic sensitive location, a Transport Statement was requested for this application, this has been undertaken and assessed and it is acceptable in highway terms.

The trip generation for this development was calculated after a national database (TRICS) was interrogated for the trip generations of similar developments of retirement apartments and is therefore considered to be robust. On this basis, the Transport Statement demonstrates that during the morning peak traffic period 2 vehicles are likely to enter the site and 2 vehicles are likely to leave the site, thereby generating 4 traffic movements. In the evening peak traffic period it is demonstrated that 3 vehicles are likely to enter and leave the site, giving a traffic generation of 6 movements. Vehicle movements associated with this type of development would mostly occur outside network peak hours; the impact during peak traffic periods is not considered to be significant therefore the proposal is acceptable in traffic terms.

The number of car parking spaces has been increased from the original submission to 56 with 6 of those spaces being designated for disabled users, which is acceptable for this development.

The car park is remote from the building which may encourage residents to park on Blair Avenue, therefore the boundary features along the Blair Avenue frontage should be of such a design as to remove any potential pedestrian desire lines and discourage parking on Blair Avenue.

The applicant must enter into a S278 agreement with the council for the construction of the new vehicle access.

It has been demonstrated that a refuse vehicle can access the site appropriately and there is provision for refuse storage including recycling.

There is therefore no highway objection to this development.

24. Landscape & Visual Comments

Having considered the revised information relating to hard surfacing (ref dwg 09147/PO11 rev E) and soft landscape (ref dwg 677/LA2C) the revisions showing the hard surface materials and the addition of a hedge on the western site boundary within the open space are acceptable however the former objection stated in memo ref 11/9113/FUL2 remains as shown in italics below:

Further to our comments dated the 20 April 2011 the application must be assessed against the findings of the Open Space Audit which is now considered to be a material consideration. As this application erodes the integrity green corridor designation known as The Blair Avenue Green Corridor I object to the application on landscape and visual grounds. In addition to the adverse impact on the green corridor there is limited screen planting for the car park on the western boundary which can only be addressed by increasing the width of boundary planting on land within the red edged boundary that abuts the development proposal.

25. Flood Risk Management comments

The applicant proposes to build 48no. Retirement apartments including a car park and access road. A revised FRA has been submitted by the applicant. 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. The submitted FRA indicates that surface water runoff from the development site will be attenuated to maintain Greenfield base rate of 3.5l/s/Ha. Full design and maintenance details of the proposed attenuation should be submitted to the authority. We recommend that permeable surface materials should be used for any footpaths, car parking or any other suitable areas.

26. Countryside and Green Space

No comments received.

27. Head of Housing

As requested please find below the comments from Housing Services on planning application 11/0113/FUL, for 48 units of open market retirement apartments.

Information from the Strategic Housing Market Assessment (2009)

Market demand (this includes all properties which would be available on the open market) in sub area - Ingleby Barwick

- o Demand largely reflects supply in Ingleby Barwick
- o Demand for flats exceeds supply in several areas of the borough, including Ingleby Barwick
- o Demand for bungalows exceeds supply in all areas of the borough.

The information about the housing aspirations and requirements amongst older people helps to explore the implication of the forecast rise of 42.2% in the numbers of people aged 60+ by 2029. The local findings tend to confirm the national research that:

- o The vast majority of older people (around 80%) want to continue to live in their current home with support when needed
- o A minority would consider other forms of housing such as sheltered accommodation (around 25%) and new forms of older persons accommodation, for instance older persons apartment or properties in a retirement/care village
- o Of those intending to move, 65% were seeking two bedroom accommodation and only 17% one bedroom.

In terms of property types, preferences were strongest for bungalows.

Information from Housing, Care and Support strategy for older people in Stockton (2005) Recommendation 4.4

Rebalance the sheltered stock and housing and housing support services through:

- o A higher level of quality sheltered housing for rent to meet growing aspirations of older people. In particular older people in the borough are requesting more 2 bedroom accommodation, good levels of accessibility both within and into sheltered schemes and more choice of service models and options.
- o A growth in the level of sheltered housing for sale and shared ownership from 18 to 200 units to bring provision more in line with tenure in the borough. Some of this can be provided through social landlords diversifying their tenure, as well as through the private sector.

To conclude a demand for sheltered housing can be evidenced and there is a demand for open market sheltered housing in the borough. The proposal however of 1 bed units is smaller than the evidence suggests is required i.e. older people have shown a preference for 2 bed accommodation.

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

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 with a mix of 20% intermediate and 80% social rented tenures and a high priority accorded to the delivery of two and three bedroom houses and bungalows.

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. In view of the nature of the scheme it may be difficult to deliver the affordable housing provision on site. Off-site provision or a commuted sum may be more appropriate and I would suggest early discussions with the developer on this issue.

28. The Environment Agency

Thank you for referring an amended flood risk assessment in support of the above planning application, received on 8 March 2011. Having reviewed this information, we are now in the position to withdraw our previous objection. We would also like to offer the following informative:

The FRA does not refer to it, however it appears NWL have agreed to accept the surface water discharge from the site at greenfield rates. Therefore attenuation, storage requirements and onsite sewer design must be agreed between the developer, NWL and the LPA. The proposed discharge rate will not result in an increase in flood risk downstream at the sewer discharge point.

Ecology

Our records show that there could be Great Crested Newt in the area. These are protected under the Wildlife & Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. Further guidance can be found at Natural England's website <http://www.naturalengland.org.uk/>

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.

29. Tees Valley Wildlife Trust

We note that the Environment Agency has identified that a protected species; the great crested newt, had been recorded within 500 metres of the application site. This appears to have been dealt with by the Additional Information on Protected Species submitted by Naturally Wild Consultants Limited on 25/2/11 which refers to a population of great crested newts at Ingleby Mill Pond. The Trust has records of newts at this location and we are not aware of any other populations of protected species within the vicinity of the application site. We agree with the comments made by the ecological consultants, that there remains virtually no risk that protected species are present on the application site. We would support the general findings of the ecologist in the Phase 1 Habitat Survey regarding the absence of suitable habitat for protected species at the application site. On this basis the Trust has no objection to the application.

In reviewing the application we were concerned to read the suggestion that wooded areas may have been cleared prior to submission of the application. We support the comments by Urban Design regarding landscaping, new planting (including hedgerows comprising native tree and shrub species) and management of existing areas of planting.

30. Natural England

No representations received.

31. Waste Management

No representations received.

32. 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.

33. Northern Gas Networks

According to our records Northern Gas Networks has no gas mains in the area of your enquiry. However our records indicate that gas pipes owned by other Gas Transporters may be present in this area. A plan is attached for your information and further enquiries with regard to such pipes should be obtained from the owners.

34. CE Electric UK

No representations received.

35. Northumbrian Water Limited

Northumbrian Water has no objection to the proposed development.

36. Children, Education and Social Care

No representations received.

37. Stockton Police Station

No representations received.

38. Primary Care Trust

No representations received.

39. Adult Strategy

No representations received.

40. Private Sector Housing

We have been sent a consultation letter for the above application. Unfortunately the consultee web site is still not working and I can not log on to our account. Therefore I can confirm that the Private Sector Housing Division have no objections or comments to make with regards to this application.

41. Tristar Homes

No representations received.

42. Tees Archaeology

Thank you for the consultation on this planning application.

The area was subject to archaeological surface collection in 1997 with fairly limited results. Given these results I have no objection to the planning application and have no comments to make.

PUBLICITY

43. Neighbours were notified and comments received are summarised below :-

44. Representations were received from thirty three sources. One representation objected and also made supportive comments.

45. Objections were received from the following sources:

Persimmon Homes North East

Margaret and Ian Noble	7 Broomlee Close Ingleby Barwick
Mr David Harling	33 Caldey Gardens Ingleby Barwick
Catherine Murphy	2 Conwy Grove Ingleby Barwick
D Thompson	10 Conwy Grove Ingleby Barwick
Mr Eric Burton	15 Cradoc Grove Ingleby Barwick
D And R Drummond	18 Cradoc Grove Ingleby Barwick
Jane Windebank	19 Cradoc Grove Ingleby Barwick
Mr and Mrs Dickinson	33 Cradoc Grove Ingleby Barwick
Mr S York	35 Cradoc Grove Ingleby Barwick
Emma Pinder	66 Longleat Walk Ingleby Barwick
Pete Brown	2 Merioneth Close Ingleby Barwick
Paula Brown	2 Merioneth Close Ingleby Barwick
Tony Christie	8 Merioneth Close Ingleby Barwick
Mrs Robinson	24 Marchlyn Crescent Ingleby Barwick
P & M Harrison	56 Marchlyn Crescent Ingleby Barwick
R E Cowell	99 Marchlyn Crescent Ingleby Barwick
Christine And David Paul	109 Marchlyn Crescent Ingleby Barwick
Stephen and Helen Latif	113 Marchlyn Crescent Ingleby Barwick
Jason Henry	3 Portchester close Ingleby Barwick
Mr D W Pearson	5 Rothbury Close Ingleby Barwick
Mrs Kerry Vance	5 Rowen Close Ingleby Barwick
Mr D and Mrs J Reid	8 Rowen Close Ingleby Barwick
Sandra & William MacGregor	10 Rowen Close Ingleby Barwick
Mr G Vance	15 Rowen Close Ingleby Barwick
Ian and Lisa Wanless	7 Snowdon Grove Ingleby Barwick
S Connorton	10 Snowdon Grove Ingleby Barwick
Douglas Macnaught	12 Snowdon Grove Ingleby Barwick
Mr Mellor	
Paul Boyer	
Richard Burnicle	
Debra Jemison	

46. The reasons for objection can be summarised as follows:

Principle of development

1. The principle of development for this application is a direct departure from Adopted Local Plan for Stockton-on-Tees as the land is not allocated for residential development in the Development Brief and the Ingleby Barwick Masterplan documents which identify the extent of residential development within Ingleby Barwick. The surrounding land use should not be given significant weight in determining this application.
2. The approved Ingleby Barwick Masterplan allocates the application site as an area of 'Open Space / Recreation' adjacent to residential development and should be retained as such for current and future residents.
3. The application site forms part of a recreational 'green wedge' which extends from the Tees Valley eastwards to Ingleby Barwick town centre, providing a wide ecological buffer between residential areas and as a result should be retained for this use.
4. Set a precedent for residential development on the wider site area to the west included within the redline boundary of the application.
5. The western part of the site is to be a public community 'park' facility. Is there any guarantee that this land is to be retained for this function, or will the land be built upon in the future for further residential development?
6. Best use of this land would be as a landscaped area to be accessed on foot and available for recreational use by all in our community.
7. Object as destroying open space and natural habitat
8. Another green belt is going to be built on

Need

1. There is a lack of interest in Ingleby Barwick for this type of residential development for Over 55 apartment blocks.
2. If planning is granted another application will be submitted after no interest is shown in this style of unit, for standard housing/apartments over the bigger site with the red line application boundary.
3. Market research is required to show an interest from the public into purchase of these units in this area, as it could lead to unsustainable development contrary to the aims of PPS1.
4. These developments for the elderly appear underutilised against previously publicised forecasts and must be deemed badly advised.
5. Enhancing a busy part of the town with space, trees and natural beauty is what the people living here would choose.
6. There is already a residential home near the proposed site.
7. There is more of a need for educational buildings than there is for retirement dwellings.
8. Persimmon abandoned its plans to build retirement apartments very close to the proposed development.
9. Scheme not wanted or needed by the community
10. Similar existing facility only a few 100 metres away
11. Ingleby Barwick does not need retirement apartments on one of only open spaces
12. Building a new school is priority in this area

Design issues

1. Flats are a particularly unattractive addition to Ingleby.
2. Fence create a caged community, rubbish trap, a challenge to be scaled and broken down

3. Eyesore - There are a number of flats on the estate and plenty still for sale so we do not need any more eyesores.
4. Over development.
5. Soakaway drainage inadequate lead to flooding on main road
6. There is already a care home which is an eyesore and should not have been allowed

Landscape issues

7. Loss of trees on site which currently provides a natural buffer and screening between Blair Avenue and the land to the north.
8. Wanton destruction of the trees directly prior to the planning application being made; this was in the least unethical.
9. Wanton and reckless destruction of an existing "green area"
10. Area not in keeping with the aesthetics of the surrounding properties
11. Destruction of open space
12. Destruction of wildlife habitat
13. Ingleby Barwick needs green open spaces
14. A thousand or so trees be replanted by the land owners at their expense
15. Replacing trees with bricks does not improve the overall well being of the local community.
16. Do not appreciate the change to the skyline
17. What kind of example is it setting our children, in both these schools, that so many trees torn down for no reason?
18. At least 1000 trees must be replanted next to the site before any more building work begins.
19. The area now looks like it has been hit by a hurricane and all plant life uprooted.
20. Please consider in favour of leaving some green areas in Ingleby and deny this application and if possible demand the replanting of the destroyed trees and shrubs.
21. Further destruction of scarce natural aspects
22. Spoil Green Wedge
23. Prevent greener open environment
24. Natural Fauna destroyed
25. Concerned over the destruction of a popular and much enjoyed wooded area without notification or consultation.
26. Loss of wildlife and the woodland area, there is hardly any greenbelt and woodland on the estate without more being destroyed.
27. The trees filtered traffic fumes which affect the schools
28. The care home has already reduced green space
29. The trees looked well established and a pleasant area for local residents
30. The Phase 1 Habitat Survey was carried out when the area was full of trees. The additional survey was carried out so that the Phase 1 Habitat Survey could say that the development would be located on the area of disturbed land. It wasn't "disturbed" until 58 days prior to this planning application being submitted.
31. The destruction of the established trees was a timely exercise for the visit for the Tree Survey & Management Plan which took place on the 7th December 2010.
32. The area to the North of Blair Avenue has been subject to repeated planning applications of various types since about 2006, from an Eco-Park to the Nursing Home that is already built at the east end of the land.
33. This land needs to be protected and the developer needs to be made to replant the trees he destroyed.
34. Land is an oasis in mass of development especially when 1200 houses on site adjacent are built
35. The land still has great value, confirmed by Tree Preservation Order

Traffic and parking

1. The build-up of further traffic in this area only compounds the risk of accidents with children walking to the schools during the proposed development and building.
2. Will add to the traffic problems in Blair Avenue which has schools, nursing home, Tesco, a public house on a main access to the housing estate.
3. Inadequate on-site parking. A minimum of around 1.5 spaces per unit would be required in reality.
4. Dangers of extra traffic to pedestrians and school children
5. Ingleby Barwick has been allowed to grow beyond manageable proportions as far as traffic is concerned
6. Bottle necked part of the estate
7. House building and that further down the road approaching Queen Elizabeth Way can only lead to traffic chaos at peak times.
8. The vehicular access is very close to an established and well used school crossing point
9. Lead to on road parking
10. Road not designed for parking lead to accident and injury
11. Gaining access to All Saints and the library can be difficult at times and since the nursing home appeared the traffic problems have increased in my opinion.
12. There are no traffic calming measures, there is frequent speeding and we are soon to lose our school crossing patrol provision.
13. A lot of pedestrian activity - especially children - on pavements between Marchlyn Crescent and the schools that are inadequate in places.
14. As a pedestrian, it is already very difficult to cross this road
15. There has already been incidents of children being injured on this stretch of road such injuries would only increase both during and after construction.

Other

1. Do what is right both morally and ethically and reject this application.
2. We must keep areas of local benefit, for wildlife, dog-walking, carbon target and aesthetic purposes otherwise we risk becoming a concrete jungle.
3. Disgusting that no approval to remove trees was sought.
4. Clearly therefore it is a strongly felt issue by the community leaders.
5. Is it possible to delay decision to allow tidying of the site?
6. Does not need repeat of non-compliance where unfinished plots a concern
7. Object until can be approved without deviation, without sanctions, from the details on time and in full
8. This greenbelt was destroyed in one weekend, ethically wrong
9. Absolutely no confidence that the applicant would develop this land in a considerate manner, having already shown himself completely inconsiderate of both local resident feeling and having given no consideration to the noise that would be generated by clearing land at such unsociable times.
10. Illegal building works and non completion remains an unresolved issue
11. Given history of site should works commence then council leaders and all involved should be made accountable
12. Noise will disturb local residents
13. The owner of the land has carried out this callous act, with no concern for the environment or respect for Ingleby Barwick and its residents.
14. The Nursing Home developer has not completed to the original planning approval

47. Comments in support

1. Probably best of any proposals that could have been offered for site
2. Plans aesthetically pleasing

PLANNING POLICY

48. 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 Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP)

Ministerial Statement from Greg Clark

“When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity)
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date
- (v) Ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions

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

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 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.

Local Plan Saved Policy HO3

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

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

SITE AND SURROUNDINGS

50. The planning application relates to an area of land of 1.76 hectares located on the north side of Blair Avenue between the housing of Snowdon Grove and Rowen Close and the site of the recently constructed Roseville Care Centre and its associated uncompleted 24 apartments approved on appeal under planning reference 10/1778/FUL. Facing the site across Blair Avenue are All Saints Secondary School, Myton Park Primary school and a Public Library. To the east of the schools is the Myton Way Centre, which is the main retail, commercial and service centre in Ingleby Barwick. The land to the north of the site is allocated as housing land in the Ingleby Barwick Master Plan as Village 6 The Rings. The

northern part of this land is being developed by Persimmon Homes North East following approval of application reference No. 09/3024/REM.

51. The western part of the land nearest to the housing is substantially covered by trees up to approximately 20 years old which are covered by a Tree Preservation Order (TPO) No. 00.8.5.758 confirmed on the 27 May 2011. The rest of the site is bare ground where trees were removed before the making of the TPO. The land has a distinct ridge running along its length making it higher than the road to the south and the land to the north. A mature hedge runs along the northern boundary and there is a 4m wide landscaping strip of specimen trees and shrubs separating the land from the Roseville care Home to the east.

MATERIAL PLANNING CONSIDERATIONS

52. The main planning considerations are the planning policy implications and principle of the development, the need for the development, visual impact including loss of open space, traffic and highway safety, impact on the amenity of the occupiers of surrounding properties ecology, flood risk and drainage, affordable housing flood, public open space contributions and other material planning considerations.

53. Planning Policy Implications and Principle of Development

54. The Government has recently announced that a greater weight should be given towards a presumption in favour of development. "When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

(iv) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession

(v) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing

(vi) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity)

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date

(v) Ensure that they do not impose unnecessary burdens on development.

55. In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions."

56. 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. The

Council's main relevant Development Plan Documents are the adopted Core Strategy 2010 and the Saved policies in the adopted Local Plan 1997.

- 57.** The site is not specifically allocated for any purpose in the adopted Core Strategy or the Stockton on Tees Local Plan 1997. A Master Plan was produced for Ingleby Barwick which has formed the basis for all planning decisions within the plan boundaries. The 1991 revision of the Ingleby Barwick Master Plan is the latest to include the land the subject of this application. This plan was presented to a Planning Committee and agreed in principle subject to the updating of a Design Brief. The document has remained as the basis for Master Planning and decision making in Ingleby Barwick undertaken by the Council.
- 58.** The 1991 revision to the Master Plan identified the application site land as part of the "local open space system". It was clearly shown as being outside the land allocation areas for housing development. It forms part of a 'green wedge' extending from the Tees Valley eastwards towards Ingleby Barwick town centre. This is intended to provide a wide ecological buffer between designated residential areas or 'Villages'. The intention was that it would be retained for this purpose whilst small 'pocket parks' would be provided within the residential areas. The scope for additional open space and recreation within Ingleby Barwick is severely limited, so the presumption is that development would not be permitted on areas of open space, such as the land the subject of this application.
- 59.** The Council has used the 1991 Master Plan as the basis for its decision making except for areas covered by the 2002 revision relating principally to housing 'Village' areas 5 and 6. These areas are located to the north of the application site and do not include the application site although the area is shown on the 2002 drawing. It is on the southern periphery of Village 5 and not shown with any designation. The Spatial Plans Manager considers that: "because of the specific focus of the 2002 revision on guiding the build out of villages 5 and 6, the 1991 revision, which takes a holistic overview of the Ingleby Barwick development as a whole, is the relevant master-planning document for the site." There is also legal opinion related to other sites that considers that this 1991 Master Plan remains a material planning consideration in determining planning applications.
- 60.** The Spatial Plans Manager has confirmed that the site is identified as a green corridor in the Open Space audit. The Planning Policy Guidance 17 Assessment shows that Ingleby Barwick has a high number of "excellent" green corridors. The Assessment also states "Standards are not to be set for green corridors, as they are to be opportunity led, however this does not undermine their importance..." Although there are a high number of green corridors the 1991 Master Plan appears to have envisaged them as part of an integrated "system" for maintaining the separation of the villages. It is the opinion of the Spatial Plans Manager that the integrity of the system as a whole may therefore be compromised by the release of this land for development and states: "Policy CS10 (3(iii) in the Adopted Core Strategy states that the separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of urban open space and play space. The application is therefore contrary to Core Strategy Policy CS10."
- 61.** The Stockton-on-Tees Green Infrastructure Strategy 2009 – 2021 Consultation Draft refers to 'Urban and rural 'green grids''. These are a third tier of green infrastructure "comprising local networks of public open space, trees, streams, wildlife sites other landscape features are a vital element of the Borough's green infrastructure resource. The way in which these networks are managed will make a major contribution to the overall aims of this strategy, complementing investment in the primary and secondary green infrastructure network."
- 62.** "The Strategy promotes the concept of the 'Green Grid' as a way of planning and managing these spaces and features as multi-functional networks. Although it is beyond the scope of

the Strategy to map existing local green grid components most of these are mapped on Stockton Council's corporate GIS system. This mapping will be a valuable tool in the planning and future management of these networks."

- 63.** The strategy sets out a series of Borough-wide priorities which are intended to inform the development of these local green grids. The priorities are set out in a table for improving all aspects of the 'Green Grids'. "This will deliver significant local benefits and the cumulative impact of these proposals will make a significant contribution to the Borough's strategic green infrastructure goals."
- 64.** The delivery of the Council's Green Infrastructure Strategy is supported by planning policies and guidance set out in the Local Development Framework. Key documents include the Open Space, Recreation and Landscaping Supplementary Planning Document, Environment Development Plan Document - due to be published October 2012 and a Regeneration Development Plan Document - due to be published September 2011.
- 65.** The Open Space, Recreation and Landscaping Supplementary Planning Document (SPD) December 2009 sets local standards for improving the quantity, quality and proximity of open spaces and built sport and recreation facilities in the Borough. It aims to provide clarity and certainty to developers about the level of Planning Obligation contribution required for new development and the circumstances in which open space is to be required on site. Planning Policy Guidance note 17 (PPG17) stresses that these standards are best set locally and the thus the SPD is based on a thorough local assessment of local needs and audit of local provision. This PPG17 assessment has been used to set local standards but also provides an excellent evidence base to help inform the development of this strategy.
- 66.** The Open Space, Recreation and Landscaping SPD states at 4.13 'Green Corridors': "Green Corridors are opportunity led due to the location of a watercourse or footpath for example. However they are an important facility often providing opportunities for sustainable travel and of importance to the biodiversity of local areas. Although standards have not been set for green corridors it is important that they are provided where the opportunity arises to improve links between open spaces or as routes to local facilities. It is also appropriate to improve the quality of green corridors where possible. Due to this, contributions can be used to improve the quantity and quality of green corridors where the opportunity arises. Green corridors support the Green Infrastructure Strategy."
- 67.** The Open Space Audit identifies the application site as part of a 'local corridor' in the Strategic Green Infrastructure Network. The Council has therefore consistently identified the application site as part of a green corridor that should be protected from development. This has been carried through to its determination of planning applications. There have only been two planning applications for the current application site, neither of which have been approved.
- 68.** The adjoining site containing the Roseville Care Centre has an additional planning history and the principle of development on that site was set once permission was granted for community facilities under reference No.03/2212/OUT. That site only included the land occupied by the Roseville Care Centre development. The development that has actually taken place on that site is significantly different to the small community buildings originally approved. This illustrates the dangers highlighted by objectors that once the principle of development is established on green corridor land more intensive and expansive development cannot be resisted.
- 69.** The applicant states that the western part of the site is to be landscaped to provide a public community 'park' facility. Objectors question whether there are any guarantees that this land would be retained for this function. Or by granting this planning permission would the local

authority be creating a precedent for all of this land to be built upon in the future for further residential development? It is considered that the loss of this site to development would not be outweighed by a park made available for public access at all times.

- 70.** Members are aware that Outline consent for mixed use development comprising 50 no. place children's nursery, 75 no. bed old peoples home, 816 square metre Primary Care Trust building together with associated means of access and car parking was allowed on appeal under reference No.06/3752/OUT. Members should note that the Planning inspector at the time noted that the site was within an area of open space which had been identified as part of the local open space system in the Ingleby Barwick Master Plan, but noted that that was not a statutory local plan or had the status of supplementary planning guidance and had informal status only. It was also noted that the land was not owned by public sector bodies and the public had no right of access which is the case with the current application site at the time of report writing. The Inspector noted the 03/2212/OUT approval and concluded that the open space systems in the Ingleby Barwick Master Plan were no longer material. However, in practice the authority has continued to determine housing applications in accordance with the Master Plan and legal opinion obtained since the appeal decision on 03/2212/OUT has confirmed that it is a material consideration.
- 71.** The Head of Technical Services objects on Landscape grounds to the application and considers that it must be assessed against the findings of the Open Space Audit. As the development would erode *"the integrity of the green corridor designation known as The Blair Avenue Green Corridor I object to the application on landscape and visual grounds."*
- 72.** Persimmon Homes North East as an objector considers that the development is a direct departure from the Adopted Local Plan for Stockton-on-Tees. They say that the surrounding residential areas of Ingleby Barwick are being carried out in accordance with both the Development Brief and the Ingleby Barwick Master Plan. Persimmon as a major house builder in the area recognises that: "Both these documents clearly identify the extent of residential development within Ingleby Barwick setting a framework for land use within the town. Neither document indicates that the application site should come forward to accommodate additional residential growth. As a result, the surrounding land use should not be given significant weight in determining this application."
- 73.** Persimmon HNE further state in their objection "The approved Ingleby Barwick Masterplan allocates the application site as an area of 'Open Space / Recreation' adjacent to residential development and should be retained as such for current and future residents." Also that: "Persimmon Homes fear that by approving this application, the council will be setting a precedent for residential development on the wider site area to the west included within the redline boundary of the application."
- 74.** That the applicant states that the surrounding land is allocated for housing is of relevance in considering this application. It is in that it makes it even more imperative that areas of open space are protected from piecemeal development.
- 75.** The Head of Housing has provided information from the Strategic Housing Market Assessment (2009). In summary in Ingleby Barwick demand largely reflects supply but demand for flats and bungalows exceeds supply. There is a forecast rise of 42.2% in the numbers of people aged 60+ by 2029 and local findings tend to confirm the national research. The vast majority of older people (around 80%) want to continue to live in their current home with support when needed and only a minority would consider other forms of housing such as older persons apartment or properties in a retirement/care village. Most of these people intending to move (65%) were seeking two bedroom accommodation and only 17% one bedroom. In terms of property types preferences were strongest for bungalows.

76. Looking at the information from Housing, Care and Support strategy for older people in Stockton (2005) and its Recommendation 4.4 older people in the borough are requesting more 2 bedroom accommodation, good levels of accessibility both within and into sheltered schemes and more choice of service models and options. There is a demand for sheltered housing which can be evidenced and there is a demand for open market sheltered housing in the borough. The proposal for 1 bed units is smaller than the evidence suggests is required i.e. older people have shown a preference for 2 bed accommodation.
77. Ingleby Barwick Town Council questions the need for retirement apartments given that the previous proposal on a site in the nearby vicinity was eventually substituted by alternative accommodation due to the lack of interest in this type of unit. As Persimmon Homes North East have pointed out they did have consent for two William Leech Over 55 apartment blocks (140 apartments in total) as part of the Broomwood (Stoneleigh 2) application back in 2005 (05/0381/REM). Those apartments were marketed a number of times over the years but due to lack of interest for these style of units, Persimmon eventually conceded and applied for a substitution to remove these units in 2009 (09/0012/FUL) and replace them with 46 houses and 12 standard apartments.
78. A number of objectors have claimed that the uses proposed in the development are not needed within the Ingleby Barwick. Persimmon Homes North East express the concern that the applicants will end up coming to the same conclusion based on their own market research that there is already sufficient sheltered apartments within the Ingleby Barwick area and there would be no interest in this location. They are concerned that if planning is granted it will give the principle that the land can be developed but when there is no demand another application will be submitted for standard housing/apartments which could spread over the whole red line application boundary. Persimmon Homes North East suggest that market research be submitted as part of the application to confirm that there is a public interest.
79. Objectors would rather that this part of Ingleby Barwick be kept as open space with trees. They point out that there is already a residential home near the proposed site and in their opinion there is more of a need for educational buildings than there is for retirement dwellings.
80. Given the objections from the Spatial Plans Manager that the application is contrary to Core Strategy policy CS10 and Head of Technical Services that the proposal would erode the integrity of the green corridor designation in the Open Space Audit known as The Blair Avenue Green Corridor and that it does not maintain the quality of the urban environment, or protect and enhance the openness and amenity value of urban open space the application is recommended for refusal.

81. Impact on the appearance and character of the area

82. The application site area extends from the boundary with Roseville Care Centre westwards along Blair Avenue and then behind housing in Snowdon Grove and Rowen Close. The land has been cleared of trees along most of its road frontage so that most of the trees are behind the houses and only a short section of the Blair Avenue road frontage. The proposal would see the cleared land developed with the apartment building and its associated car park and landscaped areas. The applicant indicates that the far western part could become a public community park, where the trees subject to the Tree Preservation Order would be largely retained.
83. The proposed two storey apartment building would extend across the cleared part of the site from within a few metres of the eastern boundary. The building would be positioned running midway back from the road along what is the alignment of the highest part of the site. The building would present a continuous frontage to Blair Avenue for almost the whole road

frontage of the land with an area of open landscaping between it and the road. The building would have a rear projection extending towards the northern boundary. The rear elevations would face onto private gardens between the building and the northern hedge line. Some objectors including the Ingleby Barwick Town Council see this as an overdevelopment of the site in any case.

- 84.** Objectors recognise that the western part of the site would be a public community 'park' facility. As previously noted they question whether this would remain as such or would it also be built upon in the future for further residential development? They would like the whole of the land to be publicly accessible and made available for recreational use by all of the community. It has been stated that the proposal constitutes overdevelopment of the site. However, the proposals would only create buildings and hard surfaces on less than half of the application site area. Overall a significant amount of amenity open space is indicated on the layout plan.
- 85.** Some objectors see flats as a particularly unattractive addition and an 'eyesore' in Ingleby Barwick. They note that there are already a number of flats on the housing estate and plenty still for sale. They point to the existing care home as an eyesore which should not have been allowed. The proposed fencing around the land with the apartments is seen as creating a caged community. The fence would be a rubbish trap and a challenge to be scaled and broken down.
- 86.** An access would be formed to the west of the building leading to a single car park between the building and the protected trees. The development would occupy the open space between the housing at The Rings and the Roseville Care Centre. Visually the proposed building would then present an almost continuously built up road frontage from the existing housing at The Rings along Blair Avenue to Myton Way. The Green Corridor would be almost completely lost. This open land of some 2.2 hectares although in private ownership and mostly denuded of tree planting still has a role as one of the last open areas in the settlement not scheduled for development. It would no longer contribute to the natural screening and softening of the Roseville Care Centre buildings. This land has not previously been approved for development and there would be substantial loss of public open space and designated green corridor. The objectors say that Ingleby Barwick needs these green open spaces. They are concerned over the destruction of a popular and much enjoyed wooded area without notification or consultation.
- 87.** The Head of Technical Services has said that In addition to the adverse impact on the green corridor there is limited screen planting for the car park on the western boundary. This could only be addressed by increasing the width of boundary planting on land within the red edged boundary that abuts the development proposal.
- 88.** Objectors say that this land needs to be protected and the remaining trees have been and note that there is hardly any greenbelt and woodland on the estate. The objectors see it as at least unethical that the trees were removed before an application was made. It is not possible to require the developer to replant the trees he destroyed even with an approval as this part of the site would be developed with buildings and car park and other hard surfaces. Objectors see this land as an oasis in the mass of Ingleby Barwick development. Even with the loss of trees on the site it is still seen as providing a natural buffer and screening between Blair Avenue and the land to the north. Village 5 to the north of the site has still to be completed on the open fields in accordance with the Master Plan for housing development. The removal of the trees before the application was made and the making of the Tree Preservation Order did not require the prior approval by the Council. It is considered that the proposal would have a detrimental impact on the character and appearance of the area.

Other Matters

89. A councillor and the Town Council are concerned that there are no or not enough facilities for rubbish collection areas and re-cycling and bin stores. Internal refuse and re-cycling storage areas are shown within the building.

90. The Environmental Health Officer would wish for a condition to deal with matters of unexpected land contamination being found on the site.

91. Traffic, Access and Highway Safety

92. The Head of Technical Services highway advice is that there are no objections on highway grounds. In accordance with Department for Transport Guidance a development of less than 50 dwellings does not require any formal traffic assessment. However due to the traffic sensitive location, a Transport Statement was requested and has been undertaken and assessed and it is acceptable in highway terms.

93. "The trip generation for this development was calculated after a national database (TRICS) was interrogated for the trip generations of similar developments of retirement apartments and is therefore considered to be robust. On this basis, the Transport Statement demonstrates that during the morning peak traffic period 2 vehicles are likely to enter the site and 2 vehicles are likely to leave the site, thereby generating 4 traffic movements. In the evening peak traffic period it is demonstrated that 3 vehicles are likely to enter and leave the site, giving a traffic generation of 6 movements. Vehicle movements associated with this type of development would mostly occur outside network peak hours; the impact during peak traffic periods is not considered to be significant therefore the proposal is acceptable in traffic terms."

94. Ingleby Barwick Town Council and others object to the application on highway grounds. There is a suggestion that Ingleby Barwick has been allowed to grow beyond manageable proportions as far as traffic is concerned. Objectors note that this stretch of road on Blair Avenue is extremely busy as it is in a central location in the town and provides access to one of the main routes into and out of the estate, Tesco, Myton Park shopping centre, schools and library and various other facilities located within the 'major centre' of Ingleby Barwick. The traffic congestion and road safety issues are already a concern especially at peak times and during bad weather. This proposed development and the additional traffic that would be generated could cause further congestion.

95. There is objector's concern for the additional risk to children from walking to the schools during construction of the proposed development and afterwards and claims that injuries have already occurred. There are no traffic calming measures, along Blair Avenue and it is claimed that there is frequent speeding and the school crossing patrol provision will be removed which are not planning issues. There is a pedestrian road crossing 20m or so to the west of the proposed access.

96. The number of car parking spaces has been increased to 56 with 6 of those spaces being designated for disabled users, which the Head of Technical Services says is acceptable for this type of development. The application is made on the basis that it would be restricted to occupancy for the over 55's. The Head of Technical Services and other consultees have assessed the car parking on this basis. Blair Avenue in the vicinity of the site is not designed for parking. Objectors say that this could lead to accident and injury.

97. If members were minded to approve then a condition to restrict occupancy to the over 55's would be needed or the car parking would have to be increased. The applicant has indicated a willingness to accept a condition and to put this in a Unilateral Undertaking or Section 106 Agreement. The Town Council and others question whether the car parking provision is

adequate for the size of the development. There is a suggestion that a minimum of around 1.5 spaces per unit would be required in reality.

98. The remote location of the car park from the building may mean residents or visitors could be tempted to park on Blair Avenue. To prevent this the boundary features along the Blair Avenue frontage would have to be of such a design “as to remove any potential pedestrian desire lines and discourage parking on Blair Avenue.” How this would be done and achieved in an acceptable way if members were minded to approve is not known.
99. It has been demonstrated through tracking plans that a refuse vehicle can access the site and there is provision for refuse storage including recycling in the end of the building nearest to the vehicle access.
100. Saved Local Plan Policy HO3 permits residential development subject to a number of criteria including that satisfactory arrangements can be made for access and parking. This the scheme achieves and the Head of Technical Services comments are that there are no highway objections to this application.

101. Impact on the amenities of neighbouring occupiers and uses

102. The proposed apartment building would be sited some 4m from the eastern boundary where there is an existing landscape planting belt of 4m for the Roseville Care Centre site. There would be no windows in the 21m wide two storey end of the proposed building and only a ground floor door. The sheltered accommodation blocks approved on appeal on the Roseville Care Centre site would in addition be separated by that developments access road and there would be no loss of or inadequate amenity and privacy for either unit.
103. The proposed apartment building would face Blair Avenue but be set back some 5m at the closest to allow some room for landscaping. The main entrance to the building would be centrally located on this frontage. The school buildings on the other side of Blair Avenue are set further back and beyond car parking areas so there would be no significant impact on amenity and privacy of those buildings.
104. The western end of the proposed building would be accessible from the proposed service road and face the car park. Again there would be no windows in this end of the building and only external doors to a mobility scooter, refuse and plant rooms. The housing at Rowen Close and Snowdon Grove is separated by the retained trees, and a minimum of 48m from the proposed car park and a distance of 75m from the proposed building itself. The proposal is for residential use and this should be sufficient to prevent a loss of amenity and privacy.
105. The occupants of Rowen Close and Snowdon Grove back onto the existing wooded area which is informally accessed by the public for dog walking and recreation. Residents will therefore be used to some extent to the use of this land as open space. The proposals show that the trees would be retained and physically the land would only change as the trees matured. In use terms the formal designation should not alter to a significant degree the disturbance or intrusion that may occur at the moment.
106. The residents of the proposed apartments would have two garden areas at the rear of the building. Although the amenity space for use by the residents is not generous it is adequate when compared to that existing and approved for the Roseville Care Centre. On appeal it was considered by the Inspector that the amenity space for those units was adequate and that the site was not over developed. If public access was secured for the area of trees as a community park then residents would also have this facility close by.

107. The nearest windows facing the rear northern boundary on the rear of the main part of the proposed building would be some 23m distant. The land to the north is allocated in the Master Plan for housing. There is an existing boundary hedge that would be retained and a distance of over 21m is considered to be acceptable between main living room windows. The nearest part of the proposed building to the northern boundary would be the two storey staircase projection at a distance of 5m and the end of the 21m wide rearmost projection which would be 7m from the boundary. The wall height to eaves would be 5m. The rear projection would have a pyramidal roof rising to an apex of 9.8m high 18m from the boundary. This arrangement should be adequate to prevent overshadowing of houses and gardens on the land to the north when that scheme is submitted for approval.

108. The Environmental Health Officer has no objections subject to a condition to construction hours to prevent noise disturbance. Neighbours note that noise could disturb local residents.

109. Ecology

110. The wholesale clearance of the eastern part of this land has destroyed the habitat of young trees and removed most of its wildlife interest except for the hedge along the rear boundary. An objector is concerned that the scheme would be detrimental to wildlife. The making of garden areas would only be supportive of wildlife interests to a degree. Objectors also note that the Phase 1 Habitat Survey was carried out when the area was full of trees. The additional survey was carried out so that the Phase 1 Habitat Survey could say that the development would be located on the area of disturbed land. However, it wasn't "disturbed" until 58 days prior to this planning application being submitted according to Persimmon Homes North East. The Environment Agency records show that there could be Great Crested Newt in the area. These are protected under the Wildlife & Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

111. Tees Valley Wildlife Trust notes that the Environment Agency has identified that great crested newts had been recorded within 500 metres of the application site. They consider that this has been dealt with by the additional information on Protected Species submitted by Naturally Wild Consultants Limited. TVWT agree with the comments made by the ecological consultants, that there remains virtually no risk that protected species are present on the application site. The Trust supports the general findings of the ecologist in the Phase 1 Habitat Survey Trust and has no objection to the application.

112. Flood risk and drainage

113. A Flood Risk Assessment has been submitted with the application. The Environment Agency says that development must not increase the risk of surface water run off from the site and it must not exceed green field rates. A suitable drainage system must be provided within the site and permeable surface materials be used for any footpaths, car parking or any other suitable areas. This should prevent flooding onto the main road which is a concern of an objector.

114. Affordable Housing

115. Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision requires that an affordable housing provision within a target range of 15-20% be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. A mix of 20% intermediate and 80% social rented tenures and a high priority accorded to the delivery of two and three bedroom houses and bungalows. 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.

116. In view of the nature of the scheme the Housing Officer considers that it may be difficult to deliver the affordable housing provision on site and an off-site provision or a commuted sum may be more appropriate..

117. Public Open Space contribution

118. Core Strategy Policy CS11 requires that a contribution be made to open space, recreation and landscaping. The amount of contribution would depend on whether the public park facility was to be given to the Council or not. A maintenance contribution would be required in any case. Secure for public use for the future. The standard charge for the creation of residential open spaces would be adjusted accordingly. A standard charge would still be required for built facilities.

119. Enforcement Issues

120. Objectors are concerned that due to the history of other developments in the area that the development may not be carried out in accordance with the approved plans and without deviation. The current application has been validly made and the Council has a duty to consider the planning merits of the scheme as submitted irrespective of any unauthorised works on site and having regard to the previous planning approvals including those determined by a Planning Inspector on appeal.

121. Human Rights Implications

122. The aim of the European Convention of Human Rights 1950 is to give people who live in European states a list of civil and political rights which the member states of the Council of Europe believed every person in Europe should expect to have. The proposed development would not contravene the following basic rights and freedoms which are set down in the Convention. The right to life; the right to liberty and security; the right to fair trial; the right to no punishment without law; the right to respect private and family life, the right to marry; the right to a remedy of human rights abuses; freedom of thought, conscience and religion; freedom of expression; freedom of assembly and association; prohibition of torture; prohibition of slavery and forced labour; prohibition of discrimination and; prohibition of the abuse of rights. The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

123. Community Safety Implications

124. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. The proposal relates to providing residential accommodation in one building where the residents would have mutual and professional support from employed staff. The car parking and communal areas and gardens are all overlooked from the buildings and public areas. The likely effect of the development is that it would have a neutral impact on preventing crime and disorder in this area. Policy CS3 requires that developments are designed with safety in mind and incorporating Secure by Design and Park Mark standards, as appropriate. The provisions of Section 17 of the Crime and Disorder Act 1998 have therefore been taken into account in the preparation of this report.

CONCLUSION

It is considered that the proposed development would be contrary to the Ingleby Barwick Master Plan which is the relevant master planning document for Ingleby Barwick and identified the site as

part of the local open space system for maintaining the separation of the Villages and as the proposed development would not maintain the separation between 'Village 'settlement areas of Ingleby Barwick and would not protect or enhance the openness and amenity value of urban open space it would therefore be detrimental to the quality of the urban environment contrary to Policy CS10 of the Adopted Core Strategy. Accordingly refusal of the application is recommended.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Bishop Telephone No 01642 527310

WARD AND WARD COUNCILLORS

Ward Ingleby Barwick West
Ward Councillor Councillor K Dixon

Ward Ingleby Barwick West
Ward Councillor Councillor R Patterson

Ward Ingleby Barwick West
Ward Councillor Councillor David Harrington

IMPLICATIONS

Financial Implications:

None.

Environmental Implications:

See 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:

Core Strategy Development Plan Document
Strategic Housing Land Availability Assessment 2009
Strategic Housing Land Availability Assessment 2010
Stockton-on-Tees Local Plan Saved Policies

Stockton-on-Tees Borough Council Design Guide and Specification.

Strategic Housing Market Assessment (2009)
Housing, care and support strategy for older people in Stockton (2005)
Master Plan for Ingleby Barwick of 1991
Borough of Stockton-On-Tees Open Space Audit (2003)
Draft Stockton-on-Tees Green Infrastructure Strategy 2009-2021

Application files

03/2212/OUT, 05/0870/OUT, 06/0823/OUT, 06/3752/OUT, 07/0492/REM, 07/1136/REM,
08/2977/FUL, 09/1135/APC, 09/1395/APC, 09/1638/FUL, 09/2076/FUL, 09/2957/FUL,
10/1480/ARC, 10/1501/FUL, 10/1778/FUL and 11/0113/FUL.

Tree Preservation Order No.00.8.5.758.