

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE 10th August 2011

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

11/1322/FUL

**The Grange, Urlay Nook Road, Eaglescliffe
Erection 9 No. townhouses and associated works**

Expiry Date 18 August 2011

SUMMARY

Planning permission for the development of the site was previously approved on appeal for the erection of 16 apartments in two blocks, having a rear parking area and properties fronting onto Urlay Nook Road and Valley Gardens.

This current scheme proposes the erection of 9 terraced properties which front Urlay Nook Road, having rear parking accessed from a private drive off Valley Gardens and a single unit accessed directly from Urlay Nook Road.

Several letters of objection have been received in respect to the development which mainly relate to the impact of noise and disturbance, the over development of the site, additional traffic accessing Urlay Nook Road from Valley Gardens and the impact of overspill parking onto Valley Gardens at a point in close proximity to its junction with Urlay Nook Road.

The proposal is considered to have a layout, scale and form which is generally in keeping with the pattern and scale of the surrounding development whilst it's mass and position would have a reduced impact on surrounding properties from the approved scheme. The development allows for the retention of important natural features on the site in the form of trees and boundary hedge whilst would provide additional planting adjacent to other boundaries. The Head of Technical Services considers that the proposed accesses, the layout and the provision of parking are all acceptable.

In view of all of the above, it is considered that the scheme accords with the relevant planning policies.

RECOMMENDATION

Planning application 11/1322/FUL be Approved subject to a Section 106 being signed in respect the following Heads of Terms and subject to the following conditions;

Heads of Terms

A sum of £8750 to be paid to the Council for the provision of off site open space, recreation and landscaping.

The developer use best endeavours to use 15% of labour from the local area and gain 15% of services from the local area.

01 Approved Plans

The development hereby approved shall be in accordance with the following approved plans unless otherwise agreed in writing with the Local Planning Authority.

<i>Plan Reference Number</i>	<i>Date on Plan</i>
1113/L103 REV D	21 July 2011
1113/L100	27 May 2011
1113/L101	27 May 2011
1113/L104	27 May 2011
1113/L105 REV A	21 June 2011

Reason: To define the consent.

02. Levels

Notwithstanding details shown on the plans hereby approved, prior to any works commencing on site, a scheme of ground levels and finished floor levels for all properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate the finished floor levels of all adjoining properties. The development shall be carried out in accordance with these approved details.

Reason: To take into account the properties position and impact on adjoining properties and their associated gardens in accordance with Policy HO3 of the Stockton on Tees Local Plan.

03. Hard and Soft Landscaping and boundary treatments

Hard and soft landscaping and boundary treatments shall be implemented on site in accordance with a scheme of such to be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations and inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All existing or proposed utility services that may influence proposed tree planting should be indicated on the planting plan. The scheme shall detail methods for maintaining and where necessary replacing landscaping and boundary treatments until transfer of ownership. No property hereby approved shall be occupied until the hard and soft landscaping for that plot has been completed in accordance with the approved scheme.

Reason: To ensure a high quality treatment is achieved at an appropriate time during the construction phase of the development in the interests of visual amenity in accordance with Stockton on Tees Core Strategy Policies CS2 (Sustainable Transport and Travel) and CS3 (Sustainable living and climate change).

04. 10% Renewables or equivalent

Prior to the commencement of the development hereby approved and unless otherwise agreed in writing with the local planning authority, a written scheme shall be submitted to and approved in writing by the local planning authority which details how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superceding guidance. Before the development is occupied the renewable energy equipment shall have been installed and brought into use to the written satisfaction of the local planning authority. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of promoting sustainable development in accordance with the requirements of the Regional Spatial Strategy and Stockton on Tees Core Strategy Policy CS3 (Sustainable living and climate change).

05. Hedge Retention

The hedgerow forming the western boundary of the site shall be retained and not removed. This hedgerow shall not be reduced below 1.8m in height and 0.8m in width without the written agreement of the Local Planning Authority.

Reason: In order to protect the trees in view of their positive contribution to the visual amenity of the area and to accord with Stockton on Tees Core Strategy Development Plan Policy CS3 'Sustainable living and climate change'.

06. Tree and landscaping protection

No development hereby approved, including any preparatory works to the ground, shall commence until a scheme for the protection of trees has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the precise location of trees to be protected, protective fences, areas of material storage within the site and root protection zones. The approved scheme of protection shall be implemented on site prior to construction works commencing on site and shall be maintained throughout the period of construction.

Reason: In order to protect the trees in view of their positive contribution to the visual amenity of the area and to accord with Stockton on Tees Core Strategy Development Plan Policy CS3 'Sustainable living and climate change'.

07. Reposition of parking spaces

Notwithstanding details hereby approved, the two parking spaces serving plot 8 of the development shall be laid out in accordance with a plan to be first submitted to and approved in writing by the Local Planning Authority prior to development being commenced.

Reason: In order to limit the impact to the hedge which forms the sites western boundary and to accord with Stockton on Tees Core Strategy Development Plan Policy CS3 'Sustainable living and climate change'.

08. Materials prior to above ground construction

Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

09. Creation of parking and access road

Prior to any commencement of development on site a scheme of construction methods for the internal highway and parking spaces shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme.

Reason: In order to limit the impact to the hedge which forms the sites western boundary and to accord with Stockton on Tees Core Strategy Development Plan Policy CS3 'Sustainable living and climate change'.

10. Temporary car park for workers

Prior to works commencing on site a scheme for a temporary car park and materials storage area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented on site and brought into use prior to commencement of any development.

Reason: In the interests of highway safety in accordance with Policy HO3 of the Stockton on Tees Local Plan.

11. Hours of operation on site

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties and to accord with saved Policy HO3 of the Stockton on Tees Local Plan.

12. Unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

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

13. Removal of PD Rights – Fences within frontages

Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front elevation and the highway without the prior written approval of the Local Planning Authority.

Reason: To provide a high quality street scene and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

14. Garages being retained in perpetuity

Notwithstanding the provisions of classes A or E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the garages hereby approved shall be retained as such in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To provide an appropriate level of parking and prevent the demand for on street parking in accordance with the requirements of saved Policy HO3 of the Stockton on Tees Local Plan.

INFORMATIVES

General Policy Conformity

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these policies as the proposal is of an appropriate scale, layout and appearance, provides sufficiently in respect to parking and access whilst would not lead to an undue loss of privacy or amenity for neighbouring residents. It is also considered that the proposal does not create an incongruous feature within the street scene and does not have a detrimental impact on highway safety. There are no material planning considerations, which indicate that a decision should be otherwise, therefore the application is recommended for approval.

Stockton on Tees Local Plan

HO3 – Residential Development

Core Strategy Policy 2- Sustainable Transport and Travel

Core Strategy Policy 3 - Sustainable Living and Climate Change

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

Informative - No Dig Construction

BACKGROUND

Application 05/0984/FUL was considered for the erection of 16 two and three bed apartments on the site, being recommended for approval by officers although refused by Committee on the 26th October 2005. The applicant appealed this decision. In considering the appeal, the Planning Inspector accepted the site to be in a sustainable location in view of surrounding services and accepted the proposed density, levels of parking and the provision of play and amenity space. However, the inspector concluded that the proposed development would result in a significant mass of development on the edge of the urban area. The appeal was dismissed.

A further application was submitted (06/3340/FUL) for the erection of 16 apartments and associated parking and amenity space (demolition of existing dwelling and outbuildings). This was refused on the 15th January 2007. An appeal was lodged which was upheld subject to conditions and a Section 106 Agreement for £8750 towards open space and recreation. A copy of the appeal decision is attached (appendix ref 1).

Since the appeal decision, conditions have been discharged via application 10/2132/APC and a commencement was made on site in relation to the access road. However, The Grange remains to be on site with no further development having taken place.

Application 10/3059/FUL was submitted for the erection 10 townhouses and associated works. This was refused under delegated powers on the 16th March 2011 for the following reasons;

In the opinion of the local planning authority, the proposal represents an over development of the site, is out of keeping with the scale and appearance of its surroundings, provides inadequate amenity space for properties whilst fails to adequately take into account its impact on surrounding properties and existing natural features. The proposed development is considered to be contrary to Local Plan Policy HO3 and Core Strategy Policy CS3.

A Tree Preservation Order (498S2/6154) exists on the site. See appendix ref. 2.

SITE AND SURROUNDINGS

The site lies on the southern side of Urlay Nook Road on the urban edge of Eaglescliffe with open fields and countryside beyond to the west. The site is positioned at the junction between Urlay Nook Road and Valley Gardens which is a small cul de sac of detached bungalows. The application site and the development of Valley Gardens is at a lower level than Urlay Nook Road and land continues to fall away significantly in a southerly direction.

Existing residential development to the north of the site is mainly in the form of two storey detached houses fronting towards Urlay Nook Road. A small area of open space and a detached residential property lie immediately opposite the site and open fields lie to the west.

PROPOSAL

Planning permission is sought for the erection of 9 dwellings and associated works. The scheme details properties being provided in two terraces, one of 3 properties and one of 6. The properties are served from two points of access; the main vehicular access to the properties is in the form of a private drive which is taken from Valley Gardens with a single property being served off Urlay Nook Road at the point of an existing access.

A total of 6 detached garages are provided within rear gardens. Seven of the properties are 2 storey 3 bed units whilst two include an additional bedroom within the roof space. All properties front the adjacent highway network, having private rear garden areas. The proposed site layout, elevations and floor plans are detailed in appendix ref: 3.

CONSULTATIONS

The following Consultees were notified and comments received are summarised below:-

Egglescliffe and Eaglescliffe Parish Council

Egglescliffe and Eaglescliffe Council is concerned that the provision of 9 homes overcrowds the site leading to a lack of amenity space; there is no suitable place to provide a play area and no pedestrian crossing for children to safely access other play areas. The rear elevation of the properties is architecturally unappealing and the height of the properties may have a negative effect on the street scene and existing neighbouring properties, particularly the bungalows.

Northumbrian Water Limited

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

Tees Archaeology

All archaeological issues with this site have been previously addressed. I have no objection and no further comments to make.

Head of Technical Services

Subject to the comments below Technical Services have no objections to the development.

Highways Comments

All developments should be designed and constructed in accordance with the Design Guide and Specification (current edition) and SPD3: Parking Provision for New Developments.

Access for units 1-8 is to be taken from Valley Gardens where visibility of 2.4m x 43m is available to the right and 2.4m x 32m (to the junction with Urlay Nook Road) to the left. Unit 9 is to take access from the existing dropped vehicle crossing on Urlay Nook Road where visibility of 2.4m x 43m is available. Any boundary treatments/landscaping should ensure that these visibility splays are maintained above 0.6m.

In accordance with SPD3, a 3-bedroom house should provide 2 incurtilage car parking spaces and a 4-bedroom house should provide 3 incurtilage spaces. Units 1-4 (3 beds) have 2 spaces each provided by a garage and drive. Units 5&6 (4 beds) have 2 spaces provided by a garage and drive; an under provision of 1 space per unit. Units 7, 8 & 9 (3 beds) have 2 spaces each provided by double drives. The remaining 2 required spaces can be provided by the 4 unallocated spaces served from the access road; these spaces should remain unallocated to give the most efficient usage.

Each property has frontage access onto either Urray Nook Road or Valley Gardens therefore the proposed access road to the rear of the properties serves only a parking court and would not be adopted. It is suggested that signs be used to discourage parking in the turning head leaving it clear for vehicles to manoeuvre.

Adequate storage areas should be provided for refuse and recycling. The applicant must enter into a section 278 agreement regarding the construction of the proposed access which may require the relocation of the street lighting column at the applicant's expense.

Subject to the above we raise no highway objections.

Flood Risk Management Comments

The development site is located within flood zone 1. 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.

Therefore, the developer should consider a sustainable urban drainage scheme to ensure that there is no increase in surface water runoff from the site and permeable surface materials must be used for footpaths, driveways and any other suitable areas.

Landscape & Visual Comments

The existing hedge on the western site boundary adjoining the open country and the protected trees have still not been shown accurately on the revised plan and therefore comments are made based on measurements taken from the Tree Preservation Order plan for the protected trees and form visual views for the hedge.

We believe the existing protected trees in the south west corner of the site can be retained within the scheme provided tree protection measures as per the condition wording in the informative section below are adhered to. A level drawing is requested to accurately assess the use of the no dig construction techniques when constructing the road and parking bays.

An informative is also attached highlighting the use of no dig construction techniques at the end of this memo.

The turning head appears to conflict with the existing western boundary hedge and should therefore be reduced in length by at least 1metre.

Similarly the parking bays at the end of the site access road for one of the units in block B are set right against the site boundary which is not acceptable. These two bays should be pulled into the site by at least 1.5 metres to allow for retention of the western boundary hedge.

This western boundary hedge must be protected during any construction work and condition wording is attached in the informative section below to this effect.

An amended plan showing the protected trees and existing hedges should be produced taken into account all the landscape and visual points raised above relating to the retention and protection of these landscape features.

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend conditions be imposed in respect to construction noise and unexpected land contamination.

PUBLICITY

Neighbours were notified and comments received are summarised below:-

Mr Thompson, Resident of Valley Gardens

Could you please accept the points listed below as my objections for the proposed planning application 11/1322/FUL.The Grange.

I am a resident of Valley Gardens and would like to object to the proposed plans and have them amended to only allow access from Uray Nook Road, as any further traffic from Valley Gardens would create an area (where it would be an (accident waiting to happen) no adequate visibility especially now that a bus stop has been sited adjacent to The Grange on Uray Nook Road.

The Grange already has access to Uray Nook Road which would not affect the residents from Valley Gardens, which has a far better visibility in either direction, which is not the case when leaving Valley Gardens. If the existing exit was to be used the traffic could turn left when leaving the premises and choose direction of travel from the new roundabout.

During the last winters the residents of Valley Gardens have cleared the snow continually and maintained the access, although this is only suitable to allow passage of one vehicle at a time. Concern that vehicles from the proposed development would park on Valley Gardens which again would create another hazard for traffic turning in and out of Valley Gardens. Should vehicles be parked then it would force any traffic leaving Valley Gardens onto the wrong side of the road, which would create another hazard.

Should the planning be granted it would only lead to more congestion at the exit to the main road, which is already overloaded as all traffic approaching Yarm is backed up continually during school opening and closing periods.

B Jameson, 4 Valley Gardens Eaglescliffe

If the revised application can provide one property access from Uray Nook Road it can be revised again to provide access to all the properties from Uray Nook Road. After reviewing the revised site plan this would seem to be an easy option. This will also alleviate the safety hazard that would be created if the entrance was from Valley Gardens.

Access should be from Uray Nook Road and not Valley Gardens, avoiding vehicles being parked at the top end of Valley Gardens as access from the development onto Valley Gardens will create an extra safety hazard, more so in the winter months when conditions are worse. It seems to be fit in as many applications in as possible rather than for it to fit in with the surroundings.

Mrs VG Keales, 12 Valley Gardens Eaglescliffe

I dont think the access to the proposed development should be through valley gardens as it would be a hazard to all.

JA & E Lowson, 2 Valley Gardens Eaglescliffe

We believe the entrance should be on Uray Nook Road where it is now where visibility is much better. We are also concerned about overspill parking along Valley Gardens which will cause noise and fumes.

Mrs IE Ferens, 1 Valley Gardens Eaglescliffe

I object to the proposed access to these properties being almost opposite my bungalow and especially when the entrance to The Grange was onto Uray Nook Road. Where will visitors Park?

Overspill onto Valley Gardens will not be safe for people coming in off Urray Nook Road. The site is not big enough to accommodate 9 town houses and it will create problems with traffic and parking.

Mr D Brown, 51 Lingfield, Drive Eaglescliffe

The proposed townhouses are totally out of character with the surrounding area.

Mr R Batchelor, 37 Urray Nook Road Eaglescliffe

Access from the site will be dangerous and should not be allowed. The Council have already allowed an unsafe access at Tesco and into a new development 50m from the Tesco roundabout. Your planning is finance based and inconsiderate to the community.

J And T Hodgson, 16 Valley Gardens Eaglescliffe

Our main concern is access from Valley Gardens to the development. Residents and visitors to the new development will use the top of Valley Gardens for parking causing problems with access from a busy and already dangerous Urray Nook road. Valley Gardens is a narrow road and if a car is parked one side then access is restricted. Cars will park on the pavements or force cars further down a quiet residential road, blocking driveways.

Driving out of Valley Gardens onto the main road is difficult now with restricted view and you are going to have more cars trying to get out.

Make access/exit on the Urray Nook road and have cars turn left and use the nearby roundabout to allow cars to go right.

On a positive note, the site is an eyesore and development is welcome if the amount of houses being built were reduced. As usual its build as many houses as possible in the smallest space to make money

Len Walker, 15 Valley Gardens Eaglescliffe

Maximum of 4 properties for this size of site, preferably detached in keeping with the area.

Access to the properties to be from the main Urray Nook Road and not from Valley Gardens.

Ensure that there is adequate parking within the Grange development to avoid parking on Valley Drive.

Ensure that Access/Egress to the development is as far away as possible to Valley Gardens.

Mr DJ Barnes, 13 Valley Gardens Eaglescliffe

The Grange has become an eyesore and almost any development would be welcome. We would like to see the access off the A67 (Urray Nook Road) and not from Valley Gardens.

A Mills, 24 Valley Gardens Eaglescliffe

Primarily concerned over impact of visitor parking on the access at the top of Valley Gardens.

Some of the properties have limited parking although there are 2 spare parking spaces. The access road is not wide enough for parking and visitors would have to park in Valley Gardens, close to a junction, near the brow of a hill and a bend in the road. This access has a restricted view west along Urray Nook Road (from which accesses into the site have been refused on safety grounds). Parking in Valley Gardens near the site will result in cars coming up Valley Gardens to pull out onto the oncoming traffic lane in close proximity to the junction where people will be making a left turn from Urray Nook Road, therefore being in conflict with one another. Provision of waiting restrictions along Valley Gardens will address this by allowing clear access.

PLANNING POLICY

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)

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

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.

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.
4. Initiatives related to the improvement of public transport both within the Borough and within the Tees Valley sub-region will be promoted, including proposals for:
 - i) The Tees Valley Metro;
 - ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
 - iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
 - iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.
5. Improvements to the road network will be required, as follows:
 - i) In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;
 - ii) To the east of Billingham (the East Billingham Transport Corridor) to remove heavy goods vehicles from residential areas;
 - iii) Across the Borough, to support regeneration proposals, including the Stockton Middlesbrough Initiative and to improve access within and beyond the City Region; and
 - iv) To support sustainable development in Ingleby Barwick.
6. The Tees Valley Demand Management Framework will be supported through the restriction of long stay parking provision in town centres.
7. The retention of essential infrastructure that will facilitate sustainable passenger and freight movements by rail and water will be supported.

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

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

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

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

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

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

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

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

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

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

_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;

_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;

_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

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

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

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:

- i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
- ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
- iii) The priority accorded to the Core Area;
- iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.

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

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 500 - 700

Stockton 300 - 400

Billingham 50 - 100

Yarm, Eaglescliffe and Preston 50 - 100

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

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

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

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

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

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

2. A more balanced mix of housing types will be required. In particular:

_ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;

_ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;

_ In the Core Area, the focus will be on town houses and other high density properties.

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

4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.

5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is

provided. This must demonstrate that provision at the standard target would make the development economically unviable.

6. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.

7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.

9. The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a 'rural exception' site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.

10. The Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy.

11. Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development, are compatible with wider social and economic regeneration objectives, and are conveniently located for access to the University and local facilities.

12. The Borough's existing housing stock will be renovated and improved where it is sustainable and viable to do so and the surrounding residential environment will be enhanced.

13. In consultation with local communities, options will be considered for demolition and redevelopment of obsolete and unsustainable stock that does not meet local housing need and aspirations.

Core Strategy Policy 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.

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.

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

The site lies within the defined limits of development, adjacent to existing housing and having previously been granted planning permission for a residential development on appeal. The principle of a residential development has therefore been established and remains to be in accordance with Policy HO3 of the Stockton on Tees Local Plan.

The approved scheme for the site related to a 16 unit apartment block with communal garden and parking areas and therefore differs to this proposed scheme of 9 houses. The main considerations of this application relate to the scale of the development, its appearance, provision of parking and amenity space and its overall impact on the surroundings. Material planning considerations of this scheme need to take into account current circumstances as well as the approved scheme and previous appeal decision. These and other considerations are detailed below.

Scale of development

The scale of this proposed scheme needs to be considered against the current scale of buildings on and around the site and the street scene in general as these are what defines the character of the area. Account also needs to be taken in respect to the increased scale of the previously approved scheme. Comparisons are illustrated in appendix ref: 4.

The scheme as proposed runs the majority of the sites frontage onto Uray Nook Road providing mainly two storey properties with 2 three storey units centrally within the site. The three storey units gain the additional floor within the roof space of the buildings. The properties are provided in two blocks, one having six units and the other having three. Whilst this provides a significant frontage onto Uray Nook Road and the associated street scene, the existing property on the site and its attached outbuildings already have a relatively significant presence as did the approved apartment scheme.

Table 1. Comparison of approved scheme to proposed scheme.

Scheme element	As approved	As being proposed
Main block – Max ridge height	9.6m	9.6m
Main block – Max eaves height	6.2m	5.4m
Main block – Max depth	11.3m	10m
Main block frontage width	43m	34.5m
Smaller block frontage width	16.7m	17m

The overall height of the proposed development, the difference in roof heights across properties and the change in fenestration all assist in reducing the potential impact of the schemes massing. The scale of the proposed development is considered to be relative to the existing street scene and arguably smaller than the approved apartment block. It is therefore considered to be in keeping with its wider surroundings in this respect, being in accordance with saved Local Plan Policy HO3.

Appearance of development

Within the existing street scene there are variations in building sizes, types and ages and as such there is no strict design vernacular. The previously approved apartment scheme sought to retain principles of the existing buildings on site which worked within this setting. The current proposal details properties with a traditional appearance having details such as chimneys, feature headers and cills to windows and water tabling. Whilst this is a different approach to the immediately surrounding properties which are of a more modern design, it is in part relative to existing buildings on site and is generally considered to have a quality appearance.

Parking and amenity space provisions

Taking into account the nature of Urlay Nook Road as a main transport route into Eaglescliffe, Valley Gardens as a cul de sac and the position of existing junctions, it is considered that there is limited or no opportunity for on street parking in the immediate surroundings. The potential for on street parking has been a focus of objection for residents in Valley Gardens who believe that parking at the junction of Valley Gardens and Urlay Nook Road would be dangerous, requiring vehicles to pass parked cars, placing them in conflict with other vehicles entering Valley Gardens off Urlay Nook Road.

The scheme proposes 9 dwellings with each property having 2 incurtilage parking spaces, some of which are provided by garages. The garages have been provided with an internal space larger than that of a parking space which allows for the garage to be used for storage of bikes / grass cutters etc whilst still having sufficient space for a car and therefore being much more likely to be used. In addition, there are 4 'communal' parking spaces served off the internal spine road. These could be used by residents or visitors and should limit the need for any overspill parking. The Head of Technical Services considers the scheme to have provided sufficient parking, meeting the Councils standards. Furthermore, several of the properties have sufficient space to create additional parking spaces within their curtilages should they have a need to in the future.

Eight of the properties are served off Valley Gardens with one property utilising the existing access off Urlay Nook Road. The road layout provides sufficient width and manoeuvring space to allow all vehicles to enter and leave the site in a forward gear which should prevent the need for any inappropriate reversing manoeuvres onto the surrounding highway network.

All properties achieve a modest front garden area which abuts the adjacent footpath and highway as well as a private rear garden area. Rear gardens range from between 6m and 14m in depth although all are considered to have an overall amenity area which is suitable for family properties of this scale and would allow space for family amenity.

Impact on surroundings

Objections have been raised to the scheme in respect to noise, pollution and disturbance from the vehicles associated with the development, however, the level of parking being proposed to the rear of the development is reduced from that of the approved apartment block. In view of this and the reduced number of units on the site (16 down to 9), it is considered that the proposed scheme would have a reduced impact from that of the approved scheme.

Properties are approximately 2m further away from the boundary with the adjacent property at 2 Valley Gardens (ranging between 17 and 41m in between the proposed building elevations and the boundary of no. 2 Valley Gardens). There is an element of greenery associated with the internal driveway which would be beneficial to the overall appearance of the site. There will be a need for

fencing around rear gardens although careful control of this will need to be achieved to prevent it from being a negative characteristic. An appropriate condition has been recommended.

There is a large hedge forming the western boundary. Development has been laid out to achieve space between the built form and the hedge in order to allow it to be retained as a landscape feature on the urban edge of the settlement adjacent to the open countryside. The Head of Technical Services has recommended two of the parking spaces be slightly moved to assist spacing from the hedge and a condition has been recommended accordingly. It is considered that the layout arrangement will adequately take into account the need to preserve this site feature, being in accordance with Core Strategy Policy CS3 (8) Housing mix and affordable housing provision.

Other material planning considerations

There are trees within the south western corner of the site which are protected under a Tree Preservation Order. Having considered the position of these trees it is considered that the site layout being proposed would be able to be implemented without undue impact on these trees and importantly, retaining them as a natural feature of the area.

The initial application for 16 apartments was approved subject to the provision of £8750 contribution to off site open space and landscaping. Since this approval, the Council has adopted its Core Strategy, with Policy CS11 relating to planning obligations. In accordance with this and the adopted Open Space, Recreation and Landscaping Supplementary Planning Document, the site would be required to pay a contribution towards such provisions for use off site. Using the current calculation methods this would be greater than the previously agreed amount. However, taking into account the applicant having considered funding of the sites development against this previous contribution and governments recommendations to essentially limit the request for contributions, it is considered that in this instance, the appropriate contribution for the scheme is that of the earlier agreed amount. A Section 106 Agreement has been produced based on this.

The Councils Environmental Health Team have recommended conditions be imposed in respect to unexpected contamination and site working hours. In view of the sites proximity to existing housing these conditions are considered to be appropriate.

Northumbrian Water have recommended a condition be imposed in respect to surface water drainage, however, this is a matter which would be dealt with by Building Control and as such it is not considered necessary to impose any such condition.

CONCLUSION

In view of all of the above it is considered that the proposed development is of an appropriate scale and appearance for its surroundings, would achieve an acceptable access and provide for the parking and manoeuvring of vehicles to meet the demands of the future users of the development. The existing TPO'd trees and hedgerows are to be retained, being considered a valuable natural feature of the site.

The position of dwellings, parking and residential curtilages is considered would not have any undue impact on the surrounding properties, being a reduction to the scheme as approved on appeal.

Subject to control over matters as detailed within the conditions, it is considered that the proposed scheme complies with the relevant saved Local Plan Policies and Adopted Core Strategy Policies and it is therefore recommended that the application be approved.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

WARD AND WARD COUNCILLORS

Ward Eaglescliffe
Ward Councillor Councillor A L Lewis, Councillor Mrs M. Rigg, Councillor Phillip Dennis

IMPLICATIONS

Financial Implications:
Section 106 Agreement as detailed.

Environmental Implications:
As report.

Human Rights Implications:
The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

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

Background Papers:
Planning History and policies.