

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**14<sup>th</sup> JUNE 2012**

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

**12/0165/FUL**

**Site A, Red House School, The Green Norton**

**Redevelopment of the Senior and Preparatory School ("Main School Site"), together with associated playing fields and hard surfaced tennis courts for 68 residential units, including access, car parking and landscaping.**

**Expiry Date: 3 May 2012**

### **SUMMARY**

This application seeks Full Planning permission for the redevelopment of the site for 68 residential units and associated access, car parking and landscaping.

The proposed development comprises the retention of the frontage of the main school building and conversion to provide 8 residential units and redevelopment of the remainder of the site for 60 residential units ranging from 2 to 3 storey detached, semi detached and terraced properties containing 3 and 4 bedrooms.

Vehicular access to the site is from Marmaduke Place and The Green with pedestrian linkages also provided as part of the development proposal.

The main considerations of this application are whether it satisfies the requirements of National and Local Plan Policies, the impact of the proposed development on the locality in terms of residential amenity, vehicular access and traffic impact and highway safety, impact on Norton Conservation Area, flood risk, ecology and nature conservation and land contamination.

The impacts of the proposal have been considered against national and local planning guidance and the development as proposed is considered to be in line with general planning policies set out in the Development Plan, is acceptable in terms of highway safety, does not adversely impact on the neighbouring properties and character of the Conservation Area, ecological habitat, flooding and land remediation and is recommended for approval with conditions and Heads of Terms as set out below.

### **RECOMMENDATION**

**That planning application 12/0165/FUL be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the following conditions and informatives.**

## **SECTION 106 AGREEMENT**

### **Heads of Terms**

#### **Education Contribution**

**1. The rate of contribution required from developers for school places would be £8,000 x 0.26 = £2,080 per family home. (i.e. homes with two or more bedrooms).**

**Payment of developer contributions should be made at the commencement of development.**

**The calculation to reflect a discount of £8,000 per vacant place in Norton Primary and St Joseph's RC VA Primary Schools as recorded within the Annual School Census current at the time payment is due, subject to a pro-rata allocation of this discount amongst other planned development within the local area (Planned developments being proposed residential developments which have at least reached the planning application stage). Local Authority to provide within one month of a request being made its confirmation of the applicable discount by reference to the Annual School Census and specific details of other developments to benefit from the discount.**

**Contribution to be held in an interest-bearing account. Payment to be used for the purposes identified within 5 years of payment being made or otherwise returned together with the interest accrued.**

#### **Affordable Housing**

**2. 3 of the residential units shall be affordable and provided in the form intermediate housing (intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels, this can include shared equity products such as shared ownership and equity loans). Details shall be submitted for the approval of the Local Planning Authority of a scheme for the provision of affordable housing on the site. The submitted scheme shall include details of the following, as appropriate:-**

- i) The delineation of the area or areas of the site upon which the affordable dwellings will be constructed;**
- ii) The type and size of affordable dwellings to be provided;**
- iii) The arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;**
- iv) The phasing of the affordable housing provision in relation to the provision of open market housing on the site;**
- v) Occupancy criteria and nomination rights in relation to identified housing need.**

### **CONDITIONS**

**01 The development hereby approved shall be in accordance with the following approved plan(s); (to be agreed)**

**Plan Reference Number    Date on Plan**

**Reason: To define the consent.**

**02. A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and**

**approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:**

- 1. The programme and methodology of site investigation and recording**
- 2. The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

**B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).**

**C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

**Reason: In the interests of the preservation of any archaeological remains.**

**3. All ecological mitigation measures within the 'Bat Survey Report, Red House School, Norton, Naturally Wild 09/12/2011 shall be implemented in full in accordance with the advice and recommendations contained within the document.**

**Reason: To conserve protected species and their habitat**

**4. No development shall be undertaken on the application site playing fields until the playing fields associated with approval number 12/0067/FUL have been established and brought into use.**

**Reason : To ensure adequate replacement provision.**

**5. The sound insulation works to the proposed dwellings as identified in the noise impact assessment must be implemented for the protection of this proposed accommodation from road traffic noise before the dwellings are brought into use.**

**Reason :To ensure a satisfactory form of development.**

**6. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to the erection of any permanent enclosure, details of the enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.**

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

**7. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, Prior to the commencement of the installation of street furniture, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority Such street furniture as agreed shall be erected before the development hereby approved is occupied.**

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

**8. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans full details of the method of external illumination, siting, angle of alignment; light colour, luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of external lighting and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.**

**Reason: To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining residents and highway safety.**

**9. No development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.**

**Reason: In the interests of promoting sustainable development**

**10. No Development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the open spaces and tree areas as part of the development, and such arrangements shall address and contain the arrangements the developer shall make to ensure that the open space and tree areas are laid out and completed during the course of the development; the arrangements the developer shall make for the future maintenance of the open space and tree areas and long term management aims for the areas for a period of 25 years. The open space and tree areas shall be completed in accordance with the approved scheme and phasing arrangements as agreed by the local planning authority.**

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

**11. Notwithstanding the submitted plans no hard landscaping works (excluding base course for access roads and car park) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

**Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.**

**12. Notwithstanding the submitted plans prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the LPA. Development shall be carried out in**

**accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.**

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

**13. Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to the commencement of any soft landscaping works, full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following: commencement of the development or agreed phases or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.**

**Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.**

**14. Notwithstanding the submitted plans, a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden delete as required shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or approved phases.**

**Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.**

**Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved**

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

**15. 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 ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.**

**16. No development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning**

**Authority.** *The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.*

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

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

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

**18.** *If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.*

**Reason:** *Unexpected contamination may exist at the site which may pose a risk to human health and controlled waters*

**19.** *A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to effectively control dust emissions from the site remediation works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.*

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

**20.** *No development shall commence within any phase until a site waste management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The site waste management plan shall be prepared in accordance with Non-statutory guidance for site waste management plans April 2008 [DEFRA]. Thereafter, the site waste management plan shall be updated and implemented in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.*

**Reason:** *To ensure a sustainable form of development and to accord with guidance contained within Stockton on Tees Core Strategy Policy 3 (CS3) – Sustainable Living and Climate Change*

**21.** *The development hereby permitted shall not be commenced until such time as a scheme for surface water management has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or*

*within any other period as may subsequently be agreed, in writing, by the local planning authority.*

*Reason: To ensure the satisfactory storage of/disposal of surface water from the site.*

**22. A minimum of 10% of the available jobs during the construction of the Development; and 20% of the available operational jobs once the Development is operational shall be made available to residents of Stockton and the Tees Valley and a minimum of 10% of total net value of the services and materials used in the construction of the Development is to be provided by businesses within Stockton and the Tees Valley unless otherwise agreed in writing by the local planning authority**

*Reason : In accordance with the requirements of Policy CS4 of the Adopted Core Strategy*

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

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

**24. No gates shall open out onto the adopted highway or shared drives.**

*Reason: In the interests of Highway Safety*

**25. Notwithstanding the provisions of the Town and Country Planning (General Permitted development) Order 1995 (or any order revoking or re-enacting that order) the buildings hereby approved shall not be extended or altered in any way without the prior written approval of the Local Planning Authority.**

*Reason- In order that the local planning authority can exercise further control in this locality in the interests of the visual amenities of the area.*

### **INFORMATIVES**

The proposal has been considered against the policies below and it is considered that there are no material considerations that indicate a decision should be otherwise.

National Planning Policy Framework

Core Strategy Policies CS1, CS2, CS3, CS4, CS6, CS7, CS8, CS10 and CS11 and Local Plan Policy EN24, EN25, EN28, EN30, HO3 and REC1.

### **BACKGROUND**

1. Red House School is an independent coeducational school providing education from nursery (2 year plus) to GCSE level (16 years). The applicant states that the school has now outgrown its current site. To enable it to expand and to provide new state of the art teaching and sports facilities for children up to the age of 18 (including the provisions of a Sixth Form), the School is proposing to relocate to a new site in Wynyard, Stockton-on-Tees. A planning application (12/0067/FUL) for the development of the new school has recently been granted planning permission.

2. To facilitate the relocation for the School, three separate planning applications (and associated Conservation Area Consent/Listed Building Consent applications) have been submitted. This application, along with accompanying applications for the site of the Nursery and Infant School and the Old Vicarage seek permission for residential development to fund the wider project.

### **SITE AND SURROUNDINGS**

3. The application site is an area of approximately 2.4 hectares (6.0 acres) and comprises the Senior School building (two-storey red brick former Victorian house), together with purpose built educational buildings to the rear and a caretaker's house (constructed in 1970s) and access and parking area. School playing fields and hard surfaced tennis courts also form part of the site.

4. The site is bound to the north by the A1027 main road, to the south by Bradbury Road beyond which lies The Green, and to the east and west by vegetation beyond which lies residential properties.

5. The site is located within Norton Conservation Area with the exception of the playing fields and tennis courts which lie outwith the Conservation Area but are identified as outdoor playing space.

6. The southern boundary of the site provides the current vehicular access to the site. This is through an existing opening in the boundary wall. The boundary treatment here is partly brick wall with brick piers and stone copings and partly metal railings on a simple stone plinth. Adjacent to the site on the Southern boundary are terraces of houses of varying dates, styles and sizes which front The Green. These houses form a continuous terrace. Along the western boundary there is a band of trees which separate the site from an area of disused land and the terrace of dwellings in Hermitage and Marmaduke Place beyond this. The current boundary comprises a wire mesh fence with concrete posts.

7. The same boundary treatment runs along the length of the northern boundary. Again there is a line of trees which run inside the fence line. The trees are mature and vary in size and species. The A1027 which runs north of the boundary is a dual carriageway. On the northern side of the bypass there is a large residential development dating from the 1970's and generally comprising detached houses which are screened from the A1027 by fencing which has been amended by individual owners over the course of time.

8. The eastern boundary of the site is dominated by large mature trees which are densely planted. The north eastern most part of this boundary has a timber fence of varying height which encloses the rear of existing large detached dwellings. South of these dwellings the land falls steeply into a ditch which forms the boundary to Chesterfield House which is a large Grade 2 listed property which is also owned by Red House School but which does not form part of this planning application.

### **PROPOSAL**

9. The proposed development comprises the retention of the frontage of the main school building and conversion to provide 8 residential units and redevelopment of the remainder of the site for 60 residential units ranging from 2 to 3 storey detached, semi detached and terraced properties containing 3 and 4 bedrooms.

10. The proposed main access to the majority of the site is via the existing entrance to the school. A new road is created to the west of the existing Victorian main school building. To the west of the new entrance road are two new dwellings which replace the 1970's caretaker's house and are designed to reflect properties along the Green.



11. The existing school building is to be converted into apartments. Part of the rear of the building will be demolished allowing for the provision of a modern extension. The extension will be predominantly render and glass in contrast to the building.

12. The main street then leads north from the road to a new focal square. The houses along the east of the main street are set back behind planting areas. The main street turns and finishes in another area of open space. The mature trees on the eastern boundary act as a back drop to the houses.

13. A secondary road leads from the main street towards another character area with a mix of dwelling types.

14. A secondary vehicular access is created into the site from Marmaduke Place. This leads to dwellings' which are designed to reflect the existing terraced properties of Marmaduke Place and Hermitage place.

15. The houses are predominantly 2 storeys in height with some 2.5 storey units used to create specific character places or streets, to create feature buildings or to break up roof lines, particularly on main routes or fronting focal areas.

16. The road layout is structured by a permeable network of routes, which creates a series of different character areas. It also provides safe access and movement for vehicles, pedestrians and cyclists. A range of measures will provide natural traffic calming that will maintain low traffic speeds.

## **CONSULTATIONS**

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

### 17. Tees Archaeology

The application site lies within the historic settlement of Norton which has medieval origins and good evidence for prehistoric and Anglo-Saxon activity.

The application includes an Archaeological Assessment report prepared by The Brigantia Archaeological Practice. The report concludes that Site A has the potential to include archaeological remains of the medieval period or earlier (para's 18 & 21). Such remains would be considered to be heritage assets for their archaeological interest (PPS5: Annexe 2).

There is likely to be differential preservation of archaeological deposits across the site. For example the locations of the current school buildings are likely to be of very low archaeological potential given damage from the construction of the buildings. Similarly the geomagnetic survey carried out as part of the archaeological assessment demonstrated that the majority of the playing field to the rear was quarried for sand in the early 20th century. However the garden area of 36 The Green and the undisturbed parts of the playing field may preserve important archaeological deposits. There is also the possibility that human remains might be present given that similar remains have been found elsewhere in the vicinity.

I therefore recommend that archaeological monitoring takes place on the potentially sensitive archaeological areas of the development and that this is secured by a planning condition (PPS5: HE12.3). I set out below the suggested wording for the condition:-

Recording of a heritage asset through a programme of archaeological works

A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local

planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

This condition is derived from a model recommended to the Planning Inspectorate by The Association of Local Government Archaeology Officers.

#### 18. Stockton Police Station - Eddie Lincoln

Consideration should be given to applying Secured By Design principles. Good design must be the aim of all those involved in the development process and should be encouraged everywhere. Current government planning policy strongly supports this principle and makes clear that community safety is an integral part of the design agenda.

#### 19. Spatial Plans Manager

This spatial planning response is to the applications associated with the proposed redevelopment of land at Red House School in Norton, Stockton-on-Tees. The following provides a summary of the three areas of land proposed for development:

Site A: Redevelopment of the Senior and Preparatory School ("Main School Site"), together with associated playing fields and hard surfaced tennis courts for 68 residential units, including access, car parking and landscaping. This includes the retention of the frontage of the main school building and its conversion to 8 residential units (Full Planning Application and Conservation Area Consent);

Site B: Redevelopment of the Nursery and Lower Infant School site including car parking and former walled garden area for 13 residential units, including access, car parking and landscaping (Full Planning and Listed Building Consent); and,

Site C: Conversion of the former Vicarage, the Upper Infant School Site, to 4 residential units (Full Planning and Listed Building Consent).

A combined response is considered appropriate as the proposals are intrinsically linked to the School's relocation strategy which is reliant on the capital receipt from the proposed development. A planning application (12/0067/FUL) for the relocated school at Wynyard has been submitted.

## NATIONAL PLANNING POLICY

The National Planning Policy Framework (NPPF), adopted March 2012, sets out the Government's planning policies for England and how these are expected to be applied. The two elements of the NPPF which are of most relevance to this application are:

Housing applications should be considered in the context of the presumption in favour of sustainable development.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Consideration of section 12 of the NPPF 'Conserving and enhancing the historic environment' will also be of relevance to this application

## LOCAL CONTEXT

The following provides a summary of the main policy considerations with regards to the proposed developments.

All policies contained within Stockton-on-Tees Core Strategy Development Plan Document are of particular relevance to this application with the exception of CS4 'Economic Regeneration', CS5 'Town Centres' and CS9 'Provision for Gypsies and Travellers and Travelling Showpeople'.

Local Plan policies of particular relevance are summarised as:

Policies EN24 and EN25 relate to new development and the demolition of existing buildings within Conservation Areas.

Policy EN26 relates to the conversion of Listed Buildings.

Policy EN28 states that development which is likely to detract from the setting of a Listed Building will not be permitted.

Policy EN30 seeks to protect sites of archaeological interest from the adverse impacts of new development.

Policy HO3 relates to development on unallocated sites.

Policy REC1 relates to outdoor playing spaces.

The spatial strategy and planning for housing

Core Strategy Policy 1 (CS1) – The Spatial Strategy, states that 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. 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 proposal is to redevelop a site in Norton, which forms part of the Stockton housing sub-division. Although the site is not a regeneration site, it is a highly sustainable location in respect of proximity to services; redevelopment of the site would represent a positive use of previously developed land and the Stockton housing sub division is identified for housing distribution in Policy

CS1. The proposed housing development is, therefore, broadly consistent with the spatial strategy within the context of the distribution of housing.

The sports pitches at Red House School are identified as greenfield; the policy consideration regarding the relocation of pitches and redevelopment of this part of the site is considered below.

#### Affordable housing provision

Core Strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision, states that affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more. The applicant has submitted an affordable housing statement which includes a summary of an economic viability appraisal undertaken for the site. The submitted affordable housing statement contends that the 'requirement for affordable housing provision at the application site would remove the finance available to provide the new school thereby rendering the relocation proposals unviable'. The viability evidence submitted to support this contention will need to be rigorously assessed by the Council.

#### Provision of community facilities

Core Strategy Policy 6 (CS6) – Community Facilities, states that priority will be given to the provision of facilities that contribute towards the sustainability of communities. It is relevant in this context that the proposal would facilitate the re-location of the School to Wynyard which would make a contribution to re-dressing the currently poor performance of that settlement in terms of access to services and facilities.

#### Provision of open space, sport and recreation

The redevelopment of Site A includes the sports pitches and tennis courts associated with Red House School. In this regard the main policies of consideration are Local Plan policy REC1 and Core Strategy policy CS6.

Policy REC1 prevents the development of land designated as Outdoor Playing Space unless:

Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or  
Alternative provision of equivalent community benefit is made available, or  
The land is not required to satisfy known local needs.

Core Strategy Policy CS6 seeks to protect and enhance open space, sport and recreation facilities in the Borough. This approach broadly reiterates current national policy contained within NPPF. Policy CS6 is supported by the Open Space, Recreation and Landscaping SPD which provides guidance on standards for open space based on a PPG17 assessment of open spaces and built facilities in the Borough.

With regards to REC1 the proposal to provide pitches with the relocated school at Wynyard would meet the second test 'alternative provision of equivalent community benefit is made available'. As set out within the Planning Statement (at table 5.1) in support of the application the relocated site will provide significant additional provision in terms of quantity and quality which unlike the existing school will provide formal and informal public access. The assessment of rural villages within the PPG17 assessment identifies that Wynyard does not have access to any outdoor or indoor sports facilities. NPPF does state that loss resulting from the proposed development be replaced by equivalent of better in terms of quantity and quality in a suitable location.

The councils PPG17 assessment identifies the sports pitches and tennis courts associated with Red House School as an 'outdoor sports facility'. The Open Space, Recreation and Landscaping

SPD identifies that Stockton East meets the quantity standards for outdoor sports facilities. The relocation of the school to Wynyard and development of the existing sports pitches will not reduce the quantity of 'outdoor sports facilities' within Stockton East below the quantity standard of 1.76ha per 1000 people.

Should the proposal to relocate the school and pitches to Wynyard (being considered as a separate application) not be acceptable the proposal to redevelop the sports pitches at Red House School would be contrary to policy CS6, REC1 and the NPPF.

In accordance with policy CS11 a contribution towards open space, sport and recreation facilities may be required. SPD2 'Open Space, Recreation and Landscaping provides guidance on standards and the level of contribution required. It should be noted that as part of the proposals an area of open space (part of site B) totalling 0.3 ha will be made available for public use; thus forming an extension of the village green.

### Heritage and Design

The majority of the sites proposed for development are located within Norton Conservation Area in whole or part and the former vicarage is a Grade II Listed building (including the former garden wall). In this context NPPF, Core Strategy CS3 and Local Plan policies EN24, EN26, EN28 are of particular relevance.

### Summary

In summary, the principal of development is generally considered to conform with the Spatial Strategy (Core Strategy policy CS1). The relocation of playing pitches is generally accepted; however consideration is needed regarding whether replacement pitches will be 'at least accessible to current and potential users'.

### 20. The Environment Agency

We have no objection to the development as proposed, however we'd like to offer the following informatives:

#### Surface water drainage:

The sites lie in flood zone 1 and therefore are at the lowest risk of fluvial or tidal flooding. The FRA states that surface water drainage will be disposed of to NWL sewers. As such, all drainage rates, attenuation, and storage requirements must be agreed with NWL rather than the Environment Agency. We fully support the NWL approach of accepting a like for like discharge only, to reduce any potential flood risk at the sewer discharge point.

If plans change and a discharge to a watercourse is proposed, we would need to be reconsulted.

#### Land contamination:

The submitted report entitled 'Preliminary Geotechnical and Ground Contamination Desk Top Review, for Red House School' (dated December 2011) is sufficient to show that the proposed development does not pose an unacceptable risk to controlled waters. We therefore have no objection to the proposed development.

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

## 21. Highways Agency

The Highways Agency has reviewed the application and has concluded that we have no objection in principle.

## 22. Natural England (summary)

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

Natural England's advice is as follows:

The protected species survey has identified that bats, a European protected species may be affected by this application.

Our Standing Advice Species Sheet: Bats provides advice to planners on deciding if there is a 'reasonable likelihood' of bats being present. It also provides advice on survey and mitigation requirements.

We have not assessed the survey for badgers, barn owls and breeding birds<sup>1</sup>, water voles or whiteclawed crayfish. These are all species protected by domestic legislation.

Box (i) - Using Nature on the Map we determined that No, the application is not within/close to a SSSI or SAC notified for bats. This took us to Box (v).

Box (v) - We looked at the survey report and determined that Yes, it did highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. This took us to Box (iv).

Box (iv) — We determined that Yes, detailed visual inspections (internal and external where appropriate) had been undertaken and found evidence of a roost. This took us to Box (viii).

Box (viii) — We determined that Yes, the status of the roost is known (eg maternity/ nursery/ feeding/ hibernation) and the species of bat to be affected reliably identified. This took us to Box (xi).

Box (xi) — Using table 6.1 (which is on page 38 out of 76) of the Bat Mitigation Guidelines we determined that the scale of impact is low and that mitigation has been provided which is appropriate and proportionate to the scale of impact, that is, like for like in terms of roost size, aspect, temperature etc, considering whether it includes appropriate landscaping, maintenance of commuting routes, foraging areas and management of lighting etc to prevent indirect impacts upon bats. This took us to box (xiii).

Box (xiii) — We determined that when the mitigation is taken into account, the proposals comply with Article 12(1) or would be licensable. This took us to Box (xiv).

Box (xiv) advises the authority that permission may be granted subject to appropriate conditions including a detailed mitigation and monitoring strategy for bats.

For future applications, or if further survey information is supplied, you should use our standing advice to decide if there is a 'reasonable likelihood' of protected species being present and whether survey and mitigation requirements have been met.

If you would like any advice or guidance on how to use our standing advice, or how we used the standing advice to reach a conclusion in this case, please contact us on the number above.

This advice is given to help the planning authority determine this planning application. On the basis of the information available to us with the planning application, Natural England is broadly satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts on the local population of bats and therefore avoid affecting favourable conservation status.

## 23. Sport England

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The Policy states that;

“Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the Specific circumstances applies.”

Reason; Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities. Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.

Sport England was consulted on, and had input into the proposals for the new replacement school at Wynyard Village. Subject to a suitable mechanism which ensures that the new school and its sports facilities are open prior to the existing site being lost to development, then the proposal is considered to meet the following exceptional circumstance;

E4 - Replacement/better quality playing fields provided for

*The playing fields of playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development*

This being the case, Sport England does not wish to raise an objection to this application, subject to the following condition(s) being attached to the decision notice (if the Council are minded to approve the application):

- 1) No development shall be undertaken on the application site playing fields until the playing fields associated with approval no 12/0067/FUL have been established and brought into use.

#### 24. Norton Civic Society

I comment in my capacity as Chairman of the Norton Civic Society. I went to the well attended open meeting at Red House School some weeks ago and would strongly support the view expressed by many of the local people present that the number of residential units is far too many. The greed of the developers seems insatiable. Far too many houses for the size of the site and its accessibility. Please think again.

#### 25. Head of Housing

Affordable Housing - Need and Demand

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

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

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

In line with this policy the Housing Service would request a minimum of 10 affordable dwellings to be provided (15%).

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

80%	8	Rented Tenure (social and affordable rent)
20%	2	Intermediate Tenure
	10	

With a high priority accorded to the delivery of two and three bedroom houses.

Offsite Provision and Commuted Sums are only accepted in place of provision of affordable housing on a site in exceptional circumstances. If it is agreed by the Council that affordable housing should not be provided on the site the developer will normally be expected to identify and acquire an alternative site in close proximity to their main development, on which the affordable housing must be provided. Alternatively the developer might acquire suitable residential dwellings in close proximity to their main development in order to provide the affordable housing. If it is agreed that none of these options are possible, only then will a commuted sum be negotiated.

## 26. Head of Technical Services

### General Summary

There are no objections to this proposal subject to the comments below.

### Highways Comments

A Transport Statement has been submitted to support various applications covering three sites at Red House School, Norton. Site A is the main school site, Site B is the nursery school site and Site C the former vicarage site.

Site A, the current main school site comprises 68 dwellings, this includes 60 new build of 3 or 4 bedroom houses and 8 converted dwellings within the original building fronting The Green.

The main Site A accommodates 68 dwellings with 60 dwellings being accessed from the main site access and the existing Marmaduke Place being utilised for a further 8 dwellings. There is also a proposed pedestrian link to Mill Lane that is acceptable in principle, the details should be agreed as part of the Section 38 Agreement and the gradient of the ramp should not exceed 1 in 20. The development should be subject to a Section 38 Agreement with highway being maintained by the local Highway Authority. The Section 38 Agreement will also contain details of long term maintenance of trees and non essential street furniture.

The Transport Statement considers the sustainability of the proposed site in terms of access to education, retail, employment and other services such as health care and places of worship. It is concluded that the three proposed development sites are highly accessible by alternative modes of transport to the private car.

Baseline and development traffic information has been considered and it is demonstrated that there is generally a reduction in traffic movements around The Green. There is, however, an increase in traffic movements during the evening peak period, this is lower than the current



morning peak traffic period associated with the school and will not have on-street car parking associated with it, and as a result it is considered that free flowing traffic movements can be accommodated.

Highway safety has also been considered, it is concluded that the relocation of the school and associated on-street car parking is likely to improve highway safety in this vicinity.

Car parking has been demonstrated in the Transport Statement and is generally acceptable as it accords with the current edition of Supplementary Planning Document 3: Parking provision in new development. There is scope for on-street visitor parking and additional visitor bays are indicated throughout the site.

Consideration has been given to the revised drawings and the proposals are acceptable in principle.

A Stage 1 Road Safety audit has been submitted and agreed recommendations have been included in the revised layout. Exact details of surfacing materials should be conditioned should the development be approved and are subject to the S38 Agreement. Throughout the development the footpath links are incomplete and follow the principles of shared surfaces, details of dropped crossings would need to be agreed as part of the S38 Agreement.

In order to facilitate appropriate access for refuse collection it will be necessary to undertake tree pruning works. This arboricultural work has been considered by the Council's Arborist and is considered acceptable. Should the development be approved a condition should be attached to the consent to control the pruning works along with a refuse management plan.

The proposed construction access operating directly from A1027 as a left in and left out is acceptable. It will be necessary for this and its later removal to be included within a Construction Management Plan and conditioned should the development be approved.

Where gates are indicated, they must be designed to prevent them opening out onto adopted highway and shared drives. This should also be conditioned should the development be approved.

In summary, the development is supported subject to the application of conditions as previously noted

#### Landscape & Visual Comments

Drawing references	2122-D-00-01	Rev T Main school site layout
2122-D-00-011		Rev B Proposed demolition with tree removal
2122-D-90-101		Rev B Northern boundary elevation
2122-D-90-102		Rev B Main school site street elevation
726/01/01		Rev D Landscape master plan
726/01/02		Rev E Boundary Enclosure
Arboricultural information provided by Elliot Consultancy Ltd		Southern Greens landscape plan ref 726_01_91 rev A

#### Existing site trees

There are a number of existing mature trees that would need to be removed as part of the site development and the following comments are provided:

The removal of the smaller tree species on the site frontage trees 1 No. Holly and 2 No. Lilac and 1 No. purple leafed Cherry is acceptable.

Regarding the construction of the site entrance access off the village green in relation to Tree T4 Sycamore the Arboricultural Method Statement and Tree Protection Plan identifies that the impact on the tree would be minimal as the new access route largely follows the existing route. This principle is accepted. However, the tree would require crown lifting to facilitate access for bin motors etc and details for this are to be agreed. Any works within the root zone are to be undertaken using no dig construction techniques as per the information on no dig contained in the tree protection plan submitted with this application.

A Tree Management Plan should be provided for Tree Group 1. This work must be conditioned should the development be approved. Suggested wording for the condition is noted in the informative section.

The removal of Tree Group 2 which does not contain high quality trees is acceptable, However these trees do serve as screening for the houses located to the south on Marmaduke Place and this tree group is proposed to be replaced in a new location as part of the new landscaping – refer to section on new planting.

The realignment of Plots 1-3 on the revised plan ref 2122-D-00-01 Rev S Main school site layout to accommodate the retention of Tree T29 is acceptable.

The removal of Trees T33 and T35-T38 to allow for the construction site access is acceptable. These trees are to be replaced as part of the new onsite landscaping - see section on new planting.

The realignment of the proposed footpath from Mill Lane as shown on revised plan 2122-D-00-01 Rev S Main School Site layout to enable the retention of tree T85 is acceptable. Full construction detail's of the retaining wall to afford protection of the tree during construction and to ensure that the wall design considers its location next to a mature tree shall be conditioned should the development be approved.

The tree protection methods stated in the Arboricultural Method Statement and Tree Protection Plan ref ARB/CP/582/AMS are acceptable and must be implemented as part of the construction programme.

To ensure that the trees are not adversely affected by changes in ground levels all existing and proposed levels must be demonstrated in particular those around the mature trees. This would need to be conditioned should the development be approved.

#### Soft landscaping

The general landscape strategy shown on Plan ref 726\_01\_91 rev A is broadly acceptable including the general plant species and grass type choices.

The use of trees within the Highway will be acceptable subject to agreement of species, planting techniques and the payment of commuted lump sums for future maintenance by the Local Highway Authority. The street trees will be agreed as part of the Section 38 Agreement.

The provision of detailed planting plans including specifications and maintenance programmes would need to be conditioned should the development be approved.

Where space allows such as on the pocket open spaces large field type tree species such as Beech, Lime and Oak must be planted within the development to create the character of Norton green with its large specimen trees. Any open space including trees on adopted highway will be agreed as part of the Section 38 Agreement

Any trees on the site frontage would have to be fastigiated species due to the limited room available – Clarification on ownership of the area including the trees would need to be agreed as part of a S38 Agreement for the entrance road. If trees are to be included in the adopted highway then standard charges would apply. Details to be provided once proposed areas for adoption are agreed.

There may be a requirement to relocate the proposed trees located just west of the existing retained building on the site frontage to accommodate highway access. As space is limited for these trees to develop and given the close proximity to this building, only small fastigiate species would have been appropriate to plant here. Therefore the visual impact of these new trees would have been minimal and there is no Landscape and visual concern to the removal of some of these trees. The revised entrance area including street trees will be agreed as part of the Section 38 Agreement.

Soft landscape details should be provided as per the condition wording in the informative section.

#### Hard landscaping

The hard landscape philosophy suggested in the materials palette (page 11 of the Landscape Design and Access Statement) describes using materials that are traditional in choice matching the local character of the Norton village which would be appropriate for this location.

Hard landscape details including seating and street furniture including bollards would need to be approved by condition. Suggested wording for the condition is provided in the informative section below. All street furniture that is to be adopted by the Local Highway Authority would be considered as part of the S38 Agreement.

#### Enclosure

Generally the alignment of the enclosure boundaries shown on boundary treatment plans is acceptable. Traditional materials have been specified to match the conservation area status.

Whilst it is acknowledged that metal railings are proposed to recreate a 'Norton Style' the location and extent of the railings can in places, in our professional opinion, become over bearing and leave awkward areas where ownership is not obvious and maintenance can become problematical. The proposal to curve some of the fences and erect gates which cannot be closed when the car is on the drive also must also be questioned. This is particularly noticeable in the cul-de-sacs. A revised Boundary Enclosure plan should also be conditioned should the development be approved.

The use of a 2 metre high feature boundary wall adjacent to the A1027 ring road for acoustic reasons is acceptable subject an approved design and the provision of planting/ climbers to soften its appearance.

1.5m high metal railing is an acceptable boundary treatment for this northern boundary.

The use of a close board fence detail specified along side the wooded dene is appropriate. This should be protected with timber preservative to have a minimum design life of 40 years.

The use of a low timber palisade fence as a back garden declination is acceptable.

Full details of all the enclosures should be conditioned. Condition wording is provided in the informative section.

## Lighting

The traditional lighting style proposed would be acceptable for this area. Details to be conditioned. Condition wording is provided in the informative section.

## Open space and tree areas

It is understood that a management plan is proposed whereby each property pays a small annual fee to a Maintenance Company to maintain all the open spaces and trees areas that fringe the site.

Details of establishment maintenance and long term management for a period of 25 years should be conditioned along with hard landscaping; levels; enclosure; street furniture; lighting; soft landscaping; softworks maintenance and open space/tree areas maintenance.

## Environmental Policy Comments

12 off 210W panels providing 2.52kWp applied to each of 24 buildings.

Evidence has been submitted to show that this will meet the 10% requirements associated both with this planning application and that covered by 12/0166/FUL but that all PV will be located on the properties built on the redeveloped playing fields that fall outside the conservation area. From information provided it appears this part of the development is covered by this application. A condition is required to assure installation of the full 12 off 210W panels on each of 24 properties to meet the 10% renewable energy requirement of this application and 12/0166/FUL.

## Flood Risk Management

The proposed development site is situated within flood zone 1. The development must not increase the risk of surface water run-off from the site or cause any increased flood risk to neighbouring sites. Any run off must not exceed pre-development rates, if this is not known then a standard green field rate of 3.5 l/s per hectare should be used. 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 Council supports the use of sustainable drainage systems and welcomes the pending legislation.

The developer has submitted a site specific flood risk assessment. The FRA states that if a surface water connection is the only solution then surface water discharge equal to that of the current Greenfield runoff may be made available with any excess in flows to be attenuated on site. Therefore, the developer proposes to attenuate surface water runoff from additional impermeable areas of the proposed development so the current Greenfield runoff will not exacerbate the issues of flooding downstream of the development.

The developer should provide a detailed design and calculations showing how the attenuation system will perform in a 1 year, 30 year and 100 year storm event and again over the same periods with a 30% allowance for climate change. Calculations using the WinDes Software (Micro Drainage) are preferred.

## 27. 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.

' Noise disturbance from adjacent road traffic

The sound insulation works proposed in the noise impact assessment must be implemented for the protection of this proposed accommodation from road traffic noise.

' Light Intrusion (street lighting)

Adequate screening shall be provided to protect residential properties from light intrusion from the development.

The lighting provided shall be arranged so as not to shine directly towards any dwelling and shall be shielded to prevent light spillage beyond the boundary of the site.

' Open burning

No waste products derived as a result of clearing the site hereby approved shall be burned on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

' 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.

28. Northern Gas Networks

No objection and standard main records shown.

**PUBLICITY**

29. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement. This involved a public consultation event held at Red House School which was advertised by a leaflet drop to approximately 2,100 households in the local area.

30. Local residents have been individually notified of the application and it has also been advertised on site and in the local press.

31. 44 letters of objection from residents were received from the following addresses: -

95, Beaconsfield Road, Norton; 83 Leven Road Norton; 35 Roseberry Road Norton; 45 Countisbury Road Norton; 22 Siskin Close Norton; 2 Redwing Lane Norton; 10 Fulmar Road Norton; 15 Falcon Lane Norton; 14 Railway Cottages Norton; 33 - 35 The Green Norton; 2 Hermitage Place Norton; 4 Marmaduke Place Norton; 3 Marmaduke Place Norton; 5 Mill Lane Norton; 41 The Green Norton; 38 The Green Norton; 28 The Green Norton; Norton Croft Mill Lane; 5A Mill Lane Norton; 2 Marmaduke Place Norton; 5 Hermitage Place Norton ; Windsor House Mill Lane; Warwick House Mill Lane; 8A Mill Lane Norton; 8 Mill Lane Norton; Northfield House Mill Lane; 10 Mill Lane Norton; 11 Norton Hall The Green; 51 The Green Norton; 49 The Green Norton; 10 North Albert Road Norton; 62 Thurlow Park Road, London; 102 Beaconsfield Road Norton; 55 Station Road Norton; 12 North Albert Road Norton; Commondale House 1A Countisbury Road; Windsor House Mill Lane; 1, Darlington Lane, Norton; 5 Roseberry Road, Norton;

32. The main concerns were:-

- Traffic congestion

- Inadequate highway infrastructure
- Impact on existing drainage and water services
- Highway safety
- Enough housing already
- Impact on the character of Village Green
- The one way system and size of roads around the green are not suitable for this development.
- Increase in anti-social behaviour
- Loss of wildlife and impact on protected species
- The Ring Road should be used for access to the development.
- Traffic would create rat runs
- Noise and litter
- Lack of consultation
- There should be no new housing within the Conservation Area
- loss of some registered Village Green
- no vehicular access from the Green should be permitted
- too many houses
- legally, there is no vehicular access from The Green to the school
- car parking issues
- development not suitable for the area
- loss of open space
- over development of the site
- main access too narrow to allow larger vehicles
- impact on Marmaduke place/hermitage place
- noise and impact on amenity
- loss of light
- dog fouling, anti social behaviour (usually alcohol/drug related), parking issues, car crime, boy racers and noise disruption
- loss of trees
- more suitable sites elsewhere in the Borough
- contrary to Core Strategy Development Plan for The Borough.
- Light pollution
- Overlooking  
no identified or demonstrable need for this sort of housing
- development in this area
- no affordable housing
- more pollution
- impact on wildlife and ecology

33. Three Letters of support in addition to the letter from Red House School and Petitioners with 30 letters of support attached.

Red house School have submitted a petition in support of the application with 74 signatures (staff and parents) 7 addresses in Norton.

Thorpe Mews, High Street, Norton; 5 Abbey Close Stockton-on-Tees; Southfield Farm, Sedgefield

- development is in the interests of the school and Norton Community
- not high density and blends in with environment
- additional residences will invigorate the Village
- the school supports business investors

34. Two letters making General Comments:-

37 The Green Norton (no objection in principle but concerned over access)

8 Kew Gardens (Why not build to average density with larger units on Mill Lane)

## **PLANNING POLICY**

35. 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 saved policies of the Stockton on Tees Local Plan (STLP)

36. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

At the heart of the **National Planning Policy Framework** is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

- \* approving development proposals that accord with the development plan without delay; and
- \* where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

—any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or—specific policies in this Framework indicate development should be restricted.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system

### **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 6 (CS6) - Community Facilities**

1. Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.

2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

3. The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.

4. Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.

5. Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

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

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

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

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

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 500 - 700

Stockton 300 - 400

Billingham 50 - 100

Yarm, Eaglescliffe and Preston 50 - 100

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.
6. Proposals for small sites will be assessed against the Plans spatial strategy.
7. There will be no site allocations in the rural parts of the Borough

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

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).
2. A more balanced mix of housing types will be required. In particular:
  - \_ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
  - \_ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
  - \_ In the Core Area, the focus will be on town houses and other high density properties.
3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.
4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.
5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is provided. This must demonstrate that provision at the standard target would make the development economically unviable.
6. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.
7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.
8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.
9. The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a

'rural exception' site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.

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

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

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

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

### **Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement**

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

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

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

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

ii) Green wedges within the conurbation, including:

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

iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

### **Core Strategy Policy 11 (CS11) - Planning Obligations**

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

2. When seeking contributions, the priorities for the Borough are the provision of:

- \_ highways and transport infrastructure;
- \_ affordable housing;
- \_ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

### **Policy EN24**

New development within conservation areas will be permitted where:

- (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
- (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

### **Policy EN25**

The demolition of buildings and other structures which require consent for demolition within conservation areas will not be permitted unless:

- (i) It can be shown that the loss is not detrimental to the character or appearance of the conservation area; or
- (ii) The structural condition renders it unsafe; or
- (iii) The structure is beyond reasonable economic repair.

### **Policy EN28**

Development which is likely to detract from the setting of a listed building will not be permitted.

### **Policy EN30**

Development, which affects sites of archaeological interest, will not be permitted unless:

- (i) An investigation of the site has been undertaken; and
- (ii) An assessment has been made of the impact of the development upon the remains; and where appropriate;
- (iii) Provision has been made for preservation 'in site'.

Where preservation is not appropriate, the Local Planning Authority will require the applicant to make proper provision for the investigation and recording of the site before and during development.

### **Policy HO3**

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

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

### **Policy REC1**

Development which would result in the permanent loss of playing space will not be permitted unless:

- (i) Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or
- (ii) Alternative provision of equivalent community benefit is made available, or
- (iii) The land is not required to satisfy known local needs.

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

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

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

## **MATERIAL PLANNING CONSIDERATIONS**

38. The main considerations of this application are whether it satisfies the requirements of National and Local Plan Policies, the impact of the proposed development on the locality in terms of residential amenity, vehicular access and traffic impact and highway safety, impact on Norton Conservation Area, flood risk, ecology and nature conservation and land contamination.

39. The National Planning Policy Framework (NPPF), adopted March 2012, sets out the Government's planning policies for England and how these are expected to be applied. The two elements of the NPPF which are of most relevance to this application are:

Housing applications should be considered in the context of the presumption in favour of sustainable development.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or  
the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

40. Core Strategy Policy 1 (CS1) – The Spatial Strategy, states that 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. 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.

41. The proposal is to redevelop a site in Norton, which forms part of the Stockton housing sub-division. Although the site is not a regeneration site, it is a highly sustainable location in respect of proximity to services; redevelopment of the site would represent a positive use of previously developed land and the Stockton housing sub division is identified for housing distribution in Policy CS1. The proposed housing development is, therefore, broadly consistent with the spatial strategy within the context of the distribution of housing.

42. The site is located within the development limits. Policy HO3 of the local plan indicates that residential development within the limits of development is acceptable provided it meets a number of criteria. The proposed development is sympathetic to the character of the locality and takes account of and accommodates important features within the site; it does not result in an unacceptable loss of amenity to adjacent land users; and satisfactory arrangements have been made for access and parking. It is therefore considered that the proposed development accords with Policy H03 in respect of the above considerations. Although the site would result in the loss of outdoor playing space it should be noted that this space is not available for public use and would not result in a shortfall in provision in the local area as outlined in the following paragraphs.

43. The redevelopment includes the sports pitches and tennis courts associated with Red House School. In this regard the main policies of consideration are Local Plan policy REC1 and Core Strategy policy CS6.

44. Policy REC1 prevents the development of land designated as Outdoor Playing Space unless:

Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or

Alternative provision of equivalent community benefit is made available, or

The land is not required to satisfy known local needs.

45. Core Strategy Policy CS6 seeks to protect and enhance open space, sport and recreation facilities in the Borough. This approach broadly reiterates current national policy contained within NPPF. Policy CS6 is supported by the Open Space, Recreation and Landscaping SPD which provides guidance on standards for open space based on a PPG17 assessment of open spaces and built facilities in the Borough.

46. With regards to REC1 the proposal to provide pitches with the relocated school at Wynyard would meet the second test ‘alternative provision of equivalent community benefit is made available’. The relocated site will provide significant additional provision in terms of quantity and quality which unlike the existing school will provide formal and informal public access.

47. The councils PPG17 assessment identifies the sports pitches and tennis courts associated with Red House School as an ‘outdoor sports facility’. The Open Space, Recreation and Landscaping SPD identifies that Stockton East meets the quantity standards for outdoor sports facilities. The relocation of the school to Wynyard and development of the existing sports pitches will not reduce

the quantity of 'outdoor sports facilities' within Stockton East below the quantity standard of 1.76 ha per 1000 people.

48. Sport England has considered the application in the light of its playing fields policy. Subject to a suitable mechanism which ensures that the new school and its sports facilities are open prior to the existing site being lost to development, then the proposal is considered to meet Sports England's requirements and a condition has accordingly been recommended.

49. Core Strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision, states that affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more. The applicant has submitted an affordable housing statement which includes a summary of an economic viability appraisal undertaken for the site. The submitted affordable housing statement contends that the 'requirement for affordable housing provision at the application site would remove the finance available to provide the new school thereby rendering the relocation proposals unviable'. The viability evidence submitted by the applicant has been assessed and weighed up against the importance of meeting educational needs and the significant benefits to the Borough by providing a high quality educational campus against not meeting the level of affordable housing normally required for the scale of development. Given the scheme will still provide for an element of affordable housing alongside a contribution to educational places should they be required the level of contributions agreed are acceptable in this instance.

50. Policy CS11 relates to planning obligations and sets out requirements for new development to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements. In accordance with policy CS11 a contribution towards open space, sport and recreation facilities may be required. SPD2 'Open Space, Recreation and Landscaping provides guidance on standards and the level of contribution required. As part of the proposals put forward for the nearby Nursery and Lower Infants School site, an area of open space totalling 0.3 ha will be made available for public use. A condition has been recommended for the details of the open space provision to be agreed as part of the redevelopment of the nursery and lower school site.

51. In terms of policy Policy CS3 and the reference to integrating of climate change mitigation and adaptation into housing design, conditions are recommended to ensure the scheme incorporates sustainable and renewable energy features.

52. The layout has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed.

53. In terms of Policies EN24, EN25 and EN28 which deal with new development and demolition in conservation areas and safeguarding the setting of listed buildings; the site is located within Norton Conservation Area with the exception of the playing fields and tennis courts which lie outwith the Conservation Area. Key to the policies is the desirability of preserving or enhancing the character or appearance of a conservation area and it is considered that the proposal includes the retention and conversion of the main school building securing its long term future. The proposal also involves the removal; of a 1970s style caretaker's dwelling which adds no architectural interest to the conservation area and its removal is favourable. The proposed development has been designed taking into account the characteristics of the site and conservation area and the proposal is considered to be acceptable in its response to preserving and enhancing the character and appearance of Norton Conservation Area and also protects the setting of the listed buildings.

54. □ In terms of archaeology, a desk-top study, geophysical survey and trial trenching has not identified any features of archaeological significance at the sites. Tees Archaeology has considered the application and recommends that archaeological monitoring takes place on the



potentially sensitive archaeological areas of the development and that this is secured by a planning condition which is accordingly recommended.

#### Flood risk, Ecology and Nature Conservation

55. A flood risk assessment accompanies the application. The site avoids a flood risk area and the Environment Agency has no objection to the proposal subject to appropriate controlling conditions.

56. The application is accompanied by a Phase 1 Habitat survey which confirms there are no habitats within the site that are suitable for reptile species, great crested newts, brown hare, otter, red squirrel, water vole, harvest mouse or pine martin. The proposals will not therefore affect these species. □ A Bat Survey identified the presence of low / moderate numbers of Common Pipistrelle bats roosting in the caretaker's house. □ Appropriate mitigation measures are proposed, including the provision of suitable compensatory bat roosting habitat. Natural England has examined the proposal and advises that the proposal is unlikely to have an adverse effect on protected species subject to the imposition of conditions to provide the control sought by Natural England.

#### Other Matters

57. In terms of site contamination, the application is accompanied by a ground investigation report. The report concludes that the site generally comprises made ground and no constraints to development were identified. The Environment Agency and Environmental Health has no objection to the proposal subject to appropriate controlling conditions. Accordingly the proposal does not conflict with Planning Guidance in respect of contaminated land.

58. The applicant has investigated the likely noise impact of surrounding uses on the proposed residential development. The Environmental Health Manager has considered the proposal and raises no objection on this matter subject to a controlling condition.

59. An objection has been raised regarding access over the village green. The existing access to the main school site (which the proposed development intends to utilise) is part of the village green but is also adopted highway therefore all members of the public, including purchasers of houses if the proposed development is approved, have rights of access over it.

60. The Landscape quality and existing features have been assessed by the Head of Technical Services and no adverse comments have been received subject to the imposition of appropriate conditions.

#### Means of Access, Parking and Traffic Issues

61. The application is accompanied by a Transport Statement in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

62. The Head of Technical Services has assessed the proposal and concludes the following: -

63. The Transport Statement considers the sustainability of the proposed site in terms of access to education, retail, employment and other services such as health care and places of worship. It is concluded that the proposed development site is highly accessible by alternative modes of transport to the private car.

64. Baseline and development traffic information has been considered and it is demonstrated that there is generally a reduction in traffic movements around The Green. There is, however, an increase in traffic movements during the evening peak period, this is lower than the current morning peak traffic period associated with the school and will not have on-street car parking

associated with it, and as a result it is considered that free flowing traffic movements can be accommodated.

65. Highway safety has also been considered, it is concluded that the relocation of the school and associated on-street car parking is likely to improve highway safety in this vicinity.

66. Car parking has been demonstrated in the Transport Statement and is generally acceptable as it accords with the current edition of Supplementary Planning Document 3: Parking provision in new development. There is scope for on-street visitor parking and additional visitor bays are indicated throughout the site.

67. The proposed construction access operating directly from A1027 as a left in and left out is acceptable. It will be necessary for this and its later removal to be included within a Construction Management Plan and a condition is recommended.

68. The Head of Technical Services has considered the proposal and raises no objection on highway grounds to the proposed development subject to controlling conditions.

## **CONCLUSION**

69. The impacts of the proposal have been considered against national and local planning guidance and the development as proposed is considered to be in line with general planning policies set out in the Development Plan, is acceptable in terms of highway safety, does not adversely impact on the neighbouring properties and character of the Conservation Area, ecological habitat, flooding and land remediation and is recommended for approval with conditions and the Heads of Terms set out in the report.

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

## **WARD AND WARD COUNCILLORS**

**Ward Norton North  
Ward Councillor Councillor S I Nelson**

**Ward Norton North  
Ward Councillor Councillor Mrs K. F. Nelson**

## **IMPLICATIONS**

**Financial Implications:**  
As Report

**Environmental Implications:**  
As Report

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

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

**Background Papers**

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document : Open Space, Recreation and Landscaping

Supplementary Planning Document 6 : Planning Obligations