

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**20 JUNE 2012**

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

**12/0807/FUL**

**Land Adjacent To Roseville Nursing Home, Blair Avenue, Ingleby Barwick  
Erection of 2 storey 22 no bedroom care unit (C2)**

**Expiry Date 10 July 2012**

**SUMMARY**

The application site has been subject to a number of planning applications. Development was first approved on the site in outline, for a community centre and children's day nursery with associated car parking. Various applications have since been submitted for a variety of mixed use schemes many of which have been granted permission on appeal, with the latest appeal decision establishing planning permission for an 81 bed care home and 2 blocks of sheltered housing accommodation (totalling 24 beds).

The Planning Enforcement section was alerted to the fact that development has not proceeded in accordance with the approved plans and following investigations it was evident that various alterations had occurred. This application therefore seeks to regularise matters.

The application site forms part of a larger site to the north of Blair Avenue and to the north west of the Ingleby Barwick local centre. To the west of the site is an area of open space that has recently been fenced off and has been granted planning permission for 48. retirement apartments. Beyond this area lie the residential streets of Rowen Close and Snowdon Grove. To the north is also an area of open grassland, this land has the benefit of an outline planning consent for residential development. The wider site consists of a 2 and 3 storey L shaped care home building (to the east) and a smaller block of sheltered accommodation (currently under construction, to the south).

Planning permission is sought (part retrospectively) for the erection of a 22 bedroom luxury care home over two storeys. The building remains of the same size and scale as previously approved, although also proposes some external alterations.

It is considered the application site is a sustainable location in accord with the National Planning Policy Framework (NPPF) and Local Plan saved policy HO3. The previous full, outline and reserved matters planning permissions granted in 2004, 2008, 2009 and 2010 have established the principle that the site is appropriate for development. In terms of the need for the care home, it is known that there is sufficient bed space across the borough and that some care homes operate with an element of vacancy within them. However, competition is not a material planning consideration and cannot be taken into account as part of this application. The proposed development is considered to be of an appropriate scale while the choice of materials reflects the character of the surrounding properties both are considered acceptable. The Head of Technical Services has no objections to the proposed development and it is extremely unlikely the proposal would exacerbate traffic congestion in the area or result in significant levels of on street parking.

Consequently it is considered that the planning application accords with the relevant planning policies and that the proposal should be approved subject to the planning conditions set out within this report.

### **RECOMMENDATION**

That planning application 12/0807/FUL be approved subject to the following conditions and informative(s);

#### **Approved Plans;**

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>A-00</i>	<i>29 March 2012</i>
<i>D-02</i>	<i>29 March 2012</i>
<i>D-02 A</i>	<i>29 March 2012</i>
<i>D-04 B</i>	<i>29 March 2012</i>
<i>D-03 C</i>	<i>18 April 2012</i>
<i>A-12 REV B</i>	<i>15 May 2012</i>
<i>A-13 REV B</i>	<i>15 May 2012</i>
<i>D-07</i>	<i>29 May 2012</i>

*Reason: To define the consent.*

#### **Materials;**

02 *The hereby approved building shall be constructed of the following materials;*  
*Brick – Hanson- Butterley Cumber buff/red*  
*Render – White brushed finish*  
*Roof tile – Sandtoft brown pantile*

*Reason: To enable the Local Planning Authority to control details of the proposed development.*

#### **Soft landscaping & Landscape management plan;**

03 *In the first planting season following occupation of the hereby approved development all soft landscaping works shall be implemented in accordance with drawing 2611 A-12 rev B, the submitted landscape specification and management plan (rev D, 15<sup>th</sup> May, 2012).*

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

#### **Trees/shrubs dying within 5 years to be replaced;**

04 *Any tree or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.*

*Reason; In the Interests of amenity and maintenance of landscaping features on the site.*

#### **Hard Landscaping;**

05. **All hard landscaping materials shall be carried out in full accordance with the submitted information schedule (29<sup>th</sup> May 2012).**

**Reason: To enable the Local Planning Authority to control details of the proposed development.**

**Means of enclosure:**

06. **Prior to the occupation of the hereby approved development the proposed means of enclosure shall be carried out in accordance with drawing 2611 A-13 rev B and maintained for the lifetime of the development**

**Reason: In the interests of visual amenity.**

**Cycle stores:**

07. **Prior to the occupation of the proposed development cycle parking facilities shall be provided in accordance with the 'Broxap' details and drawing 2690 D-02 Rev A.**

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

**Refuse stores:**

08. **Prior to the occupation of the proposed development cycle parking facilities shall be provided in accordance with drawings 2690 D-02 Rev A and 2690 D-07**

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

**Construction hours:**

09. **No construction activity shall take place on the site outside the hours of 8.00 am - 6.00 pm Monday to Friday, 9.00 am – 1.00 pm Saturday and nor at any time on Sunday's or Bank Holiday's.**

**Reason: To avoid excessive noise and disturbance to the occupants of nearby premises.**

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**Summary reasons and General Policy Conformity:**

It is considered the application site is a sustainable location in accord with the National Planning Policy Framework (NPPF) and Local Plan saved policy HO3. The proposed development is of an appropriate scale and the design and choice of materials reflect the character of the surrounding properties. The development is also considered to be a sufficient distance from neighbouring properties so as not to have a detrimental impact on levels of residential amenity and will not create any additional impact on the highway network. The development has been considered against the policies below and it is considered that there are no other material considerations that indicate a decision should be otherwise.

Core Strategy;

CS2 - Sustainable Transport and Travel

CS3 - Sustainable Living and Climate Change,

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

Local Plan;

HO3 – Housing on unallocated sites

## **BACKGROUND**

1. The application site has been subject to a number of planning applications. Development was first approved on the site in outline, for a community centre and children's day nursery with associated car parking (ref 03/2212/OUT). Later, a further outline application (ref; 05/0870/OUT) but for a much larger site incorporating the whole of the unallocated strip of land north of Blair Avenue sought approval for a mixed use development on the site comprising not only the nursery and community centre but also other uses including retail, pub/restaurant, industrial starter units, health and fitness centre, offices and an area of public open space. The stated intention was that the site was to be developed as an `Eco Park using sustainable materials and ecological friendly construction techniques, although it was subsequently withdrawn. A revised application (ref; 06/0823/OUT), for the same area increased the amount of open space provision and deleted some of the more contentious industrial and commercial/retail uses and was refused on grounds of; highway safety; failure to prove sequentially preferable site were available or justify the development in an out of centre location; impact on the amenity of existing and future occupants of neighbouring properties, and; failure to provide a flood risk assessment.
2. A further application (ref; 06/3752/OUT) sought outline consent for a mixed use development comprising 50 place children's nursery, 75 bed old peoples home, 816 square metre Primary Care Trust building together with associated means of access and car parking, this application was allowed on appeal and was followed by a two reserved matters applications (ref; 07/0492/REM & 07/1136/REM), both allowed on appeal.
3. Planning permission was granted at the Planning Committee on 29 April 2009 for the `Erection of mixed use development for 75 bedroom residential nursing home and 816 sq.m private medical centre building and associated vehicular access and car parking (ref; 08/2977/FUL). Although development proceeded on site, it was not in accordance with the approved plans and the applicant made a further application to regularise the situation seeking retrospective planning permission and also to address any enforcement issues (ref; 10/1778/FUL). It again sought a mixed use development that comprised of an 81 bedroom residential care home and 2 no sheltered accommodation units containing 24 apartments. This application was again refused by the Local Planning Authority, with the appeal being upheld.
4. The Planning Enforcement section was alerted to the fact that development has not proceeded in accordance with the approved plans. Following investigations it was evident that various alterations had occurred to Block B, although the footprint of the building remained as had previously been approved.

## **SITE AND SURROUNDINGS**

5. The application site forms part of a larger site to the north of Blair Avenue and to the north west of the Ingleby Barwick local centre. To the west of the site is an area of open space that has recently been fenced off and has been granted planning permission for a development incorporating 48 retirement apartments. Beyond this area lie the residential streets of Rowen Close and Snowdon Grove. To the north is also an area of open grassland, this land has the benefit of an outline planning consent for residential development and is allocated as such under Local Plan Saved policy HO1f as Ingleby Barwick village 4-6. To the east is a cycleway/footpath which is part of the Ingleby Barwick pedestrian/cycle network providing links from the residential areas to the Myton centre. There is also a bus stop lay-by and shelter in the public highway next to the site on Blair Avenue, whilst opposite the site lie the All Saints Secondary School, Myton Park Primary school and a Public Library.

6. The wider site consists of a 2 and 3 storey L shaped care home building (to the east) and a smaller block of sheltered accommodation (currently under construction, to the south). Construction work has already commenced on the proposed development and at the time of the site visit the external walls and roof of the building were largely complete.

## **PROPOSAL**

7. Planning permission is sought (part retrospectively) for the erection of a 22 bedroom luxury care home over two storeys. The proposed building will measure approximately 19.2m (w) x 37m (l) and have a maximum height of 9 metres. The main changes to the current proposal from that of the previously approved scheme are;
- **Eastern elevation;** Additional windows and doorways being added
  - **Northern elevation;** Door changed to window, render panels also changed position
  - **Southern Elevation;** Addition of a canopy structure and lift housing, a window has also been removed
  - **Western elevation;** Some windows removed and element of render added.
8. The applicant has also submitted information to be considered as part of the planning application in order to try and avoid the need to discharge planning conditions through the submission of further details.

## **CONSULTATIONS**

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

### **Northumbrian Water**

Thank you for consulting Northumbrian Water on the above proposed development. In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above we would have no comments to make at this stage.

### **Northern Gas Networks**

According to our records Northern Gas Networks has no gas mains in the area of your enquiry. However, our records indicate that gas pipes owned by other Gas Transporters may be present in this area.

### **Local Ward Councillors**

No comments currently received

### **Children, Education and Social Care**

No comments received

### **Head of Housing**

No comments received

### **Ingleby Barwick Town Council**

Ingleby Barwick Town Council has no comment to make regarding this application.

### **Head of Technical Services**

I refer to your memo dated: 17/04/12

### General Summary

Technical Services has no objection to this proposal.

### Highways Comments

There is no highway objection to the proposal, parking requirements are satisfied and the traffic generation of this application is not materially different to the extant use.

### Landscape & Visual Comments

As the proposals do not impact on the site landscaping there are no landscape and visual objections to this development.

## **PUBLICITY**

10. Neighbours were notified through individual letters and a site notice displayed on the site, any comments received are shown below (in summary);

### **Mr Gary Vance - 15 Rowen Close Ingleby Barwick**

Objects to the application in the strongest possible terms and raises the following issues; Building work has already commenced; the proposal will create additional traffic; the site is opposite the school and has increased pedestrian activity, and; parking will overflow onto Blair Avenue.

### **Sandra MacGregor - 10 Rowen Close Ingleby Barwick**

Objects to the proposed development and consider no regard has been shown for planning regulations. Considers the development to have a poor visual appearance.

### **Mr Ian Wanless - 7 Snowdon Grove Ingleby Barwick**

Objects to the application and comments that building work has started with planning permission; the scheme increases the proposal from a 14 bedroom property to a 22 bedroom property; urges refusal of the application and any appeal.

### **Linda Hall - 24 Snowdon Grove Ingleby Barwick**

Objects the proposed development and considers the scheme contrary to policy HO11 and that it does not fit the surroundings. Further that the application has little regard existing local residents or for the people the developer wants to live in these building and the quality of life available to them. Also raises concerns over increase in traffic, insufficient parking spaces and loss of wildlife area

### **Mrs J Colwill - 103 Marchlyn Crescent Ingleby Barwick**

Does not consider it a good idea to have two care homes next to one another and questions the need for the additional facility. Also raises concerns over congestion and the visual impact of the development.

### **Barry Young - 115 Marchlyn Crescent Ingleby Barwick**

Raises concerns over the proximity of the development to schools and library and increased dangers. Concerns are also raised over the development adding to congestion and no being eco friendly.

## **PLANNING POLICY**

11. 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.

12. 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.
13. The following planning policies are considered to be relevant to the consideration of this application:-

**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.

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.

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

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.

**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).

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

**Saved Policy HO3**

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

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

### **National Planning Policy Framework;**

14. Paragraph 14. 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 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.

15. The following sections of the NPPF are considered to be relevant to the determination of this application;
- Section 6. Delivering a wide choice of high quality homes
  - Section 7. Requiring good design

### **MATERIAL PLANNING CONSIDERATIONS**

16. The main planning considerations of this application are compliance with planning policy and the impacts of the proposed development of the character of the area, the amenity of neighbouring occupiers and access and highway safety. These considerations are set out below;

#### **Principle of development;**

17. Under the relevant saved policies of the Local Plan the site is unallocated and although its original intention may have been as open space, it was never formally designated as such. As has been set out earlier in the report the application has been subject to many planning applications. A level of development has already been accepted and established on the site through a series of planning approvals, most recently on appeal (ref; 10/1778/FUL – for 81. bedroom residential care home and 2 sheltered accommodation units containing 24. apartments). Although the development has proceeded without the benefit of planning permission (for the luxury care home of 22. bedrooms), an application has been made retrospectively and the application must be judged on its own merits and against the relevant planning policies and other material planning considerations.
18. Although planning permission is now sought for a new 22 bedroom care home, in effect the proposal seeks a change of use of a previously approved building as the size and scale of premise has not changed. The site is within the Limits to Development as defined by the local plan and was previously considered to be a sustainable location for development of this type. Although some external changes are proposed it should be recognised that the care home use is one that has already been accepted on the site in the adjacent building and it is considered that there are no valid planning policy reasons why this use would not remain acceptable in another building on the site. This view is strengthened through the various planning appeal decisions that have been allowed in recent years, all of which are material planning considerations.
19. In terms of the need for the care home, it is known that there is sufficient bed space across the borough and that some care homes operate with an element of vacancy within them. However, competition is not a material planning consideration and cannot be taken into account as part of this application. The viability of the scheme is therefore a matter for the applicant and is not a basis on which the application can be refused. It is recognised that there are potential impacts on other established care homes; however, the proposal would offer increased choice.



20. The application site is an already developed site with previous planning permissions. The assessment must be whether the proposals would have any more significant impact than those approved forms of development. In view of the above the principle of the proposed luxury care home is therefore considered to be acceptable, subject to the material planning considerations set out below;

**Character of the area;**

21. The general layout of the site follows that of latest approval, won on appeal. The proposed building remains 2 storeys in height and is largely seen in context with the L shaped care home of 2 and 3 storeys height, situated to the east, it is therefore considered to be of an appropriate scale. The proposed building also remains the same footprint although some minor alterations are now proposed, such as changes to windows and door positions. There is also the addition of a ground floor canopy and the insertion of a lift shaft (with canopy) to the southern elevation. As a result there is not a significant difference in the visual appearance of the building from that already approved.

22. Notwithstanding the previously approved development, the location of the proposed building within the site, means it is largely screened from views from the east (Myton Road) and south (Blair Avenue) as a result of the 2/3 storey care home and the 2 storey apartment building, although some views are afforded via the access into the site from Blair Avenue. Given the open nature of the sites to the west and north, there is a greater opportunity to see the proposal. However, the scheme is seen against the background of the care home, which visually is a more dominant building and also the other surrounding buildings both within and outside of the site, limiting its overall visual impact.

23. It should also be recognised that a building of very similar appearance has already been approved, and this is a material planning consideration. Regardless of this fact the two proposed building has been designed to match the character and conform to materials of the care home and remaining sheltered housing accommodation.

24. At the request of officers the applicant has amended some boundary treatments and agreed to some additional hedge planting on the western boundary and further screen planting to the south of the nursing home. Whilst these aspects will not screen the development it is hoped they will provide some screening of existing fencing and hard surfaces, helping to soften the development as well as add some greenery to the road corridor. The required planting details have been submitted and these details are considered to be acceptable and a planning condition is recommended to ensure the development is carried out in accordance with these details and that a period for replacement of any species which are dead, diseased or removed.

25. Given the above the proposed development is considered to be of an appropriate scale and design. The use of materials reflects those used in the adjacent buildings and overall it is considered that the proposal is in keeping with the character of the site. It is therefore considered that the development would be in accordance with the aims of Core Strategy policy CS3 and Saved Local Plan Policy HO3.

**Amenity;**

26. The existing housing areas of Snowdon and Cradoc Groves and Rowen Close are approximately 200m to the west as a consequence the proposed development is unlikely to have a detrimental impact on these residents. The properties to the north-east of the site (Broadoaks Way) are at a slight angle to the proposal and are some 140m metres away and it is also considered that the development will not have a detrimental impact on these residential properties. A library, Myton Park Primary and All Saints Secondary schools lie directly to the south of the site and are over 100m from the site. It is considered that the nursing home use is a compatible within these community uses and that the relationship between these uses will mean acceptable levels of amenity are preserved. Although land is allocated for further housing

to the north of the site, the relationship between the proposal and any future housing would need to be considered at that time and it is considered that satisfactory arrangements can be made. It is considered therefore that the existing care home is not close enough to adversely affect the amenity and privacy of any of the surrounding properties.

27. Given the orientation of the building the main elevations face north and south. Block C to the south is situated approximately 25m from the proposed development while the existing care home lies 3m to the east. The internal relationships between the proposed development, care home and sheltered housing accommodation are considered to be acceptable and reflect those previously accepted on appeal. Therefore all future residents of the site will have an acceptable level of amenity and should not suffer from any significant loss of privacy or daylight to their rooms/accommodation.
28. There is peripheral space to the front of the proposed building to be used as a garden area for the future residents of the building. In addition there would be the incidental space surrounding the buildings that includes new tree, hedge and shrub planting.
29. It is also proposed that to prevent construction noise affecting residential areas at unreasonable hours that a condition should again be attached controlling the timing of all construction operations including delivery of materials on site.

**Access and highway safety;**

30. It is noted that several objectors have raised concerns over the potential for increased traffic and parking problems. However, in considering this application, members should be mindful of the planning history of the site and the level of development that has already been permitted by the Planning Inspector. Any impacts on highway safety must therefore be considered in this context.
31. The Head of Technical Services has noted this context and considered the development against the relevant planning guidance. It is considered that the parking provision meets the Authorities requirements and is satisfactory. Furthermore the level of traffic generated by this proposal is not materially different to the extant use (i.e. that of the sheltered accommodation).
32. Given the above, it is therefore considered that the proposed development will not result in any significant harm to the highway network or aspects of highway safety and as a result there are insufficient grounds to justify a refusal of the application on these grounds.

**Residual issues;**

33. Many of the objectors are rightly concerned that the applicant has been carrying out the development without planning permission. When works were found not to be proceeding in accordance with approved plans the developer was advised to stop immediately or revert to the approved plans. The developer had made the submission much earlier although the application was deemed invalid and not accepted. The current application has been made valid and the Council has a duty to consider the planning merits of the scheme as submitted and irrespective of any unauthorised works. Consideration also needs to be given to the previous planning approvals including those determined by a Planning Inspector on appeal.

**CONCLUSION**

34. It is considered the application site is a sustainable location in accord with the National Planning Policy Framework (NPPF) and Local Plan saved policy HO3. The previous full, outline and reserved matters planning permissions granted in 2004, 2008, 2009 and 2010 have established the principle that the site is appropriate for development. The site is not specifically allocated for any purpose in the adopted Stockton on Tees Local Plan 1997.

35. The proposed development is of an appropriate scale and does not increase the size of the building beyond that already accepted. The design and choice of materials reflects the character of the surrounding properties and are considered acceptable. The development is also considered to be a sufficient distance from neighbouring properties so as not to have a detrimental impact on levels of residential amenity of existing or future occupiers. With regard to the traffic and highway concerns it is noted that the Head of Technical Services considers that the development would not create any additional impact on the highway network and meets the required parking standards. Accordingly it is considered that the proposal would not exacerbate traffic congestion in the area or result in significant levels of on street parking.
36. Consequently it is considered that the planning application accords with the relevant planning policies and that the proposal should be approved subject to the planning conditions set out within this report.

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Mr Simon Grundy Telephone No 01642 528550**

**WARD AND WARD COUNCILLORS**

**Ward** Ingleby Barwick West  
**Ward Councillors** Councillors K Dixon, R Patterson & David Harrington

**IMPLICATIONS**

**Financial Implications.**

Section 143 of the Localism Act as set out in report

**Environmental Implications.**

As report.

**Community Safety Implications.**

Section 17 of the Crime and Disorder Act 1998 has been taken into account in preparing this report and it is not considered the proposed development would not be in conflict with this legislation.

**Human Rights Implications.**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the proposed development will not contravene these human rights.

**Background Papers**

Stockton on Tees Core Strategy  
Stockton on Tees Local Plan Alteration  
National Planning Policy Framework (NPPF)  
Planning Applications; 03/2212/OUT, 05/0870/OUT, 06/0823/OUT, 06/3752/OUT, 07/0492/REM, 07/1136/REM, 08/2977/FUL & 10/1778/FUL.