

DELEGATED

AGENDA NO

PLANNING COMMITTEE

DATE 22 AUGUST 2012

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

12/0980/OUT

Morley Carr, Allerton Balk, Yarm

Application for outline planning consent, with all matters reserved save for means of access, for residential development, community hall, public open space, outdoor recreational facilities and associated access arrangements and landscaping.

Expiry Date: 18 July 2012

SUMMARY

This application seeks Outline Planning permission for a residential led development, with associated community facilities at Morley Carr Farm, Yarm. The application is in outline with all matters reserved except for access. The application proposal is, therefore to establish the principle of the development.

The proposal comprises up to 350 dwellings; Community Hall; Bowling Green; Public Open Space including equipped play area and land for Community Use (potential allotments, cemetery, recreation land). Indicative plans have been prepared to demonstrate the layout and design principles for the site with detailed plans submitted for the proposed means of access from the public highway.

The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring residents and highway safety, health and safety requirements, flood risk, ecology and nature conservation and other material planning considerations.

It should be noted that the development is on an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise. Development is strictly controlled within the countryside beyond these limits and is restricted to limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. The residential proposal does not fall within these categories and a judgement is required whether considerations in support of the proposed development are sufficient to outweigh rural restraint policies.

A significant material consideration is the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF maintains the requirement for local planning authorities to demonstrate a 5-year supply of deliverable housing land. The Council has produced a report entitled '5 Year Deliverable Housing Supply Final Assessment: 2012 – 2017' and the report concludes that the Borough has a supply of deliverable housing land of 4.08 years. The Local Planning Authority is not therefore able to demonstrate a 5-year supply of deliverable housing land.

Furthermore, Members will be aware that the Stockton-on Tees Core Strategy was adopted in March 2010; however it is now considered that the housing strategy in the adopted Core Strategy will not deliver enough housing sites to deliver the number of homes needed to be built in the Borough by 2029. For this reason the Local Planning Authority decided to undertake a review of housing options and assessed a wide range of sites around the periphery of the urban area. The application site was identified in the Core Strategy Review of Housing - Issues and Options document which was the subject of public consultation held over a 12 week period in summer 2011.

The results of the Core Strategy Review of housing process will be incorporated into the Regeneration and Environment DPD. The Regeneration and Environment DPD Preferred Options document have been reported to the Cabinet on 11th July 2012 and to the Full Council of 18th July 2012 with approval sought to publicly consult on the document. The public consultation commenced on 30th July 2012 for a period of 8 weeks completing on 24th September 2012. The application site is identified in draft Policy H1 - Housing Allocations, as one of the preferred options for housing allocation in the document. The status of a site that is included in the Preferred Options is that it is a draft allocation. This does not reduce in any way the weight that the Local Planning Authority attaches to any significant policy or environmental constraints that are relevant to these sites.

The applicant contends that the application site is located in a highly sustainable location and the proposals will assist the Council in meeting its identified market and affordable housing needs in a wholly sustainable and deliverable manner. This, along with other benefits that will flow from the development, will go a significant way to achieving a number of the Council's core objectives.

The applicant further asserts that a number of sites and planning permissions are undeliverable for the foreseeable future and there is an urgent need for this to be addressed to ensure that the housing needs of the Borough are met. It is also contended that in addition to a five year housing supply there is a need to provide an additional 20% allowance due to an alleged under performance.

The five year supply of deliverable and available housing land is a fundamental requirement of the planning system with the NPPF requiring local planning authorities to 'boost significantly the supply of housing' through a number of means. Furthermore the applicant puts forward the case that this is only one of a number of housing sites that will need to come forward in the short term to meet the identified housing needs and address the current shortfall in the supply of housing land across the Borough. The granting of permission for this development, in advance of the consideration of sites to address housing requirements later in the plan period, will not be prejudicial or premature.

The NPPF states: "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites". As acknowledged previously the Local Planning Authority is not able to demonstrate a 5-year supply of deliverable housing land to which significant weight should be given.

The Council is committed to addressing housing delivery through a plan-led approach. The Regeneration and Environment DPD Preferred Options document as mentioned previously is the subject of public consultation and the Regeneration and Environment DPD will incorporate the results of the Core Strategy Review of housing options. The DPD will allocate sufficient deliverable and developable housing sites to ensure that the housing requirement to 2029 is met and that a rolling 5-year supply of deliverable housing sites plus a 5% buffer is achieved which reflects the Local Planning Authority's past performance in terms of delivery.

NPPF states 'Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise'. It is clearly highly relevant to this application that the Local Planning Authority is unable to demonstrate a 5-year supply of deliverable housing land. The new Government advice contained in the NPPF makes it clear that the lack of a 5 year supply of deliverable housing means that the Local Planning Authority's relevant housing policies cannot be considered as up to date and the application must be considered strictly in relation to the guidance in the NPPF. The Government position is very clear in that in recent decisions by the Secretary of State while he acknowledged that it was important for Councils to be able to identify the needs and requirements in their area, this is not the same as allowing them to postpone their obligation to identify and maintain a five year supply of developable sites. The decisions show that the balance between the plan and delivery has been recalibrated to ensure delivery by granting planning permission where there is a lack of a 5 year supply of deliverable housing

The site is identified as a preferred option for housing allocation in the Regeneration and Environment DPD; the Local Planning Authority attaches great weight to ensuring that the process of site allocation is an open, transparent and participatory one which allows full opportunity for comment to the wider public and other stakeholders. The preferred options stage cannot therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy. It is clearly fundamental to the legitimacy of Core Strategy Review process that there is consistency in the decision-making process in relation to all potential housing sites. However the new planning system established by the present Government places the provision and delivery of housing as one of its key roles by contributing to building a strong economy by ensuring that sufficient land of the right type is available in the right places and at the right time.

In terms of the core planning principles in the NPPF that underpin both local plan making and decision making, the government has emphasised that every effort should be made objectively to identify and then meet the housing needs of an area and respond positively to the wider opportunities for growth. Consequently the Government only provided a 12 month window for the full weight for policies in post 2004 DPDs to be applied even if there was only a limited degree of conflict with the Framework. In Stockton's case the estimated adoption of the Core Strategy review is likely to be the beginning of 2014 which is clearly outside the Government's timescale. As much as the Local Planning Authority would wish to progress the consideration of the acceptability of the application site through the plan making process, the application must be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development.

Other material considerations have been considered in detail and the development as proposed is considered to be acceptable in terms of highway safety, it does not adversely impact on neighbouring properties or the ecological habitat and flooding and complies with Health and Safety Executive requirements.

Having carefully weighed all the above considerations in the planning balance, it is considered that the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which seeks to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities. It is considered that the application site is a sustainable development and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight is required to be placed on the need to support economic growth through the planning system. As indicated in the main report the Local Planning Authority's policies for the supply of housing cannot be considered up-to-date as it cannot be demonstrated that there is a five-year supply of deliverable housing sites. It is considered the proposal would not give rise to any adverse impacts which would

significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It is considered that approval of this application is not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be reasonably withheld. The application is accordingly recommended for Approval.

RECOMMENDATION

That planning application 12/0980/OUT 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.

In the event of the legal agreement having not been signed by 22nd October 2012 that the application be refused.

SECTION 106 AGREEMENT

Heads of Terms

Education

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 in four equal tranches at the occupation of the 50th dwelling, the occupation of the 100th dwelling, the occupation of the 150th dwelling and the occupation of the 200th dwelling.

The calculation to reflect a discount of £8,000 per vacant place in Layfield Primary and St Cuthbert's RC Primary Schools as recorded within the Annual School Census current at that time of the occupation of the 100th dwelling, subject to a pro-rata allocation of this discount amongst other committed development within the local area. 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. 20% of the residential units shall be affordable and provided in the form of 70% social or affordable rented housing and 30% 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). As part of an application for reserved matters, 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.**

Highway Mitigation

3. Prior to commencement of development the developer will enter into a S278 Highways Act Agreement for a new roundabout access at the current Allerton Balk and Everingham Road junction; 3 priority junctions; a reduction in speed limit on surrounding highway, namely Green Lane, Allerton Balk and Worsall Road from 60MPH to 40MPH on Green Lane and from 40MPH to 30MPH on Allerton Balk and Worsall Road; a speed reducing feature of a traffic island on Green Lane; additional pedestrian refuges on Allerton Balk and to increase the entry lanes at the Green Lane/A67 Thirsk Road roundabout (Crossroads roundabout).

4. A commuted lump sum of £14,000 by way of a contribution towards improvements of footway on Worsall Road to be paid upon occupation of 10th dwelling. Monies to be held in an interest bearing account and to be re-funded if they are not spent within 5 years of payment.

5. A commuted lump sum of £51,000 by way of a contribution towards improvements of cycleway on Everingham Road to be paid upon occupation of 10th dwelling. Monies to be held in an interest bearing account and to be re-funded if they are not spent within 5 years of payment.

6. A commuted lump sum of £60,600 by way of a contribution towards improvements of footpath/cycleway on Green Lane to be paid upon occupation of 150th dwelling. Monies to be held in an interest bearing account and to be re-funded if they are not spent within 5 years of payment.

7. A commuted lump sum of £265,000 by way of a contribution towards the improvement of car parking in Yarm, payable in two tranches (£100,000 upon occupation of the 10th dwelling and £165,000 upon occupation of the 50th dwelling.

8. A commuted lump sum of £10,000 to extend the existing footway on the eastern side of Allerton Balk southwards to Green Lane to be paid upon occupation of 10th dwelling. Dropped crossings will be provided at this junction. Monies to be held in an interest bearing account and to be re-funded if they are not spent within 5 years of payment.

Travel Plan

9. Prior to commencement of development, submit a Travel Plan for approval by the Council including a proposal to ensure the appointment of a Travel Plan Coordinator for a minimum period of 5 years; contact details of the Travel Plan Coordinator; modal split targets and measures to achieve these targets, which must be SMART: Specific, Measurable, Achievable, Realistic and Timebound; details of an exit strategy of how the Travel Plan will be continued once the TPC has left the site (e.g. a community travel plan forum/group established); details of the welcome/marketing pack that is to be given to buyers/occupiers, including any electronic media (e.g. webpage); incentive payments of £100 per dwelling (a total cost of £35,000). The Travel Plan Coordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive.

Management of community facilities

10. Prior to the completion of the on-site community land and facilities the owner shall submit a scheme to the local planning authority for approval detailing the arrangements for the future maintenance and management of the land and facilities, either by way of transfer to the council (if agreed by the council) or for management and maintenance by the owner

or a management company/community trust and the land and facilities shall thereafter be managed and maintained in accordance with the approved scheme.

Employment and Training

11. To use reasonable endeavours to ensure that ten per cent (10%) of the Jobs on the Development are made available to residents of the Target Area; to use reasonable endeavours to ensure that ten per cent (10%) of the total net value of the services and materials used in the Development are provided by Businesses within the Target Area; The Owner shall take reasonable steps to procure that any contractor and/or sub-contractor nominate an individual to liaise with the Labour Market Co-ordinator; The Owner shall liaise with the Labour Market Co-ordinator in order to produce the Method Statement to be submitted to the Council prior to the Commencement Date. The Method Statement shall demonstrate the reasonable steps to be taken for each Job vacancy and opportunity for services and materials to be advertised and available to individuals and Businesses within the Target Area and shall include details regarding the provision of monitoring information to be provided to the Labour Market Co-ordinator

CONDITIONS:

01. The development hereby approved shall be carried out in accordance with the following approved plan(s).

Plan Reference Number	Date on Plan
Y81.829.06	26 July 2012

Reason: To define the consent.

02. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

03. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

04. Prior to commencement of development a Phasing Programme shall be submitted to and approved in writing by the Local Planning Authority which shall identify the phasing of infrastructure, landscaping, public open space, accesses and residential areas of the development hereby approved. Thereafter the development shall be undertaken in accordance with the Phasing Programme.

Reason: To ensure the co-ordinated progression of the development and the provision of the relevant infrastructure to each individual phase.

05. Approval of details of the appearance, layout and scale of the buildings and landscaping of the site shall be in accordance with the details to be submitted to and approved by the Local Planning Authority before the development commences.

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

06. The development shall be implemented in general conformity with the approved Design and Access Statement and Indicative Masterplan submitted with the planning application.

Reason: To ensure that the Reserved Matters for the appearance, layout and scale of the buildings and landscaping to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

07. Within each phase, details of all external finishing materials including roads and footpaths and all hard landscaped areas shall be agreed with the Local Planning Authority before the development is commenced. Thereafter the development shall be implemented in accordance with the approved detail.

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

08. Within each phase, all means of enclosure and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Such means of enclosure, retention and 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.

**09. The total development hereby approved shall not exceed the following maxima:
Up to 350 dwellings (C3 Use Class)**

Reason: In order to control the amount of floorspace and in the interests of highway safety.

10. Within each phase development shall not be commenced until details of the lighting columns, light colour and luminance have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

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

11. Within each phase, 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

12. Within each phase, no Development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Open Space and play facilities by the developer, as part of the development, and such arrangements shall address and contain the following matters:

A) The delineation and siting of the proposed public open space

B) The type and nature of the facilities to be provided within the public open space including the provision of play equipment for all age groups including young children and

teenagers which shall be supplied and installed to a specification as agreed by the local planning authority .

C) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development

D) The arrangements the developer shall make for the future maintenance of the Public Open Space

E) The open space 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

13. Within each phase, no development shall occur until the design and layout of the road, footpaths and cycleways has been agreed with the Local Planning Authority. Thereafter the roads, footpaths and cycleways shall be implemented as agreed unless otherwise agreed with the Local Planning Authority

Reason: To ensure roads, footpaths and cycleways are designed in accordance with good practice and appropriate connectivity is provided for each phase of development

14. Within each phase, a detailed scheme for landscaping and tree and/or shrub planting and grass including planting and construction techniques for pits in hard surfacing and root barriers shall be submitted to and approved in writing by the Local Planning Authority before the commencement of that phase of the development . Such a scheme shall specify stock types, stock sizes and species, planting densities; inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.

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

15. Within each phase no development shall take place until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of the development, Landscape maintenance shall be detailed for the initial 5-year establishment 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.

16. For each phase, no development shall take place until details of the means for the storage and disposal of refuse have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development.

17. Prior to the commencement of each phase 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 earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 or integrity of existing natural features and habitats.

18 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.

19. A Dust Action 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 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?

21 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.

22. All ecological mitigation measures within the 'Extended Phase 1 Habitat Survey, Delta-Simons and the BRP and Nocturnal Survey Report shall be implemented in full in accordance with the advice and recommendations contained within the document.

Reason: To conserve protected species and their habitat

23 .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.

24. 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 must include the following:

- 1. An appropriate discharge rate.**
- 2. Confirmation that the network can discharge to an appropriate location.**
- 3. Confirmation that the network can operate without flooding up to the 30 year peak storm event.**
- 4. Confirmation that the network can operate up to the 100 year peak storm event without flooding to people or property while retaining all water on site.**
- 5. Confirmation climate change has been considered in the design.**
- 6. Details of the maintenance regime for the network.**
- 7. Details of any outfall structures.**

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 prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

25. 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

26. A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, 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

27. 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

28. Prior to the commencement of any development within 135 metres of the High Pressure Gas pipeline ref. 2110 (FM06 Elton/NZ609021), a scheme for the upgrade of that pipeline to thick wall pipe (minimum 22.9 mm thickness), in accordance with IGEM/TD/1 Edition 5 Communication 1735 'Steel pipelines and associated installations for high pressure gas transmission' (or any superseding guidance), between grid reference 440917, 511191 and grid reference 441246, 510831, shall be submitted to and approved in writing by the local planning authority in consultation with National Grid Gas plc and the Health & Safety Executive.

Reason – In the interests of public safety

29. Until such time as the High Pressure Gas pipeline ref. 2110 (FM06 Elton/NZ609021) has been upgraded to thick wall pipe (minimum 22.9 mm thickness) in accordance with a scheme agreed under the above Condition, any development within 135 metres of the pipeline may proceed at the developer's risk, but only indoor community uses with a total floor space of no more than 5,000 square metres, and areas of outdoor use by the public (play area, bowling and recreational land) at which no more than 100 people will gather at any one time, and which are 65 metres or more from the pipeline, shall be occupied until such time that the proposed pipeline modifications are completed and notified as such to the Health & Safety Executive.

Reason – In the interests of public safety

30. Upon completion of the pipeline upgrade works agreed under the preceding Condition no residential development, community buildings or outdoor facilities (save for the laying out of public footpaths) shall be constructed or laid out within the Inner Zone as identified

on HSE's consultation zone map for the vicinity of Morley Carr Farm, Yarm – Feeder 6 Elton (HSE HID CI5 Ref #2110 Rev. 1 – a draft of this map is attached for information – the final version will be produced after the scheme under the preceding condition is approved). no outdoor facilities shall be provided which could result in more than 1,000 people gathering at any time

Reason – In the interests of public safety

31. No development shall commence until the developer has provided a method statement detailing the how the physical preservation of the Iron Age settlement will be achieved. This should include proposals for fencing around the [heritage asset] to a design approved by the Local Planning Authority in writing. No works shall take place within the area inside that fencing unless approved in writing by the Local Planning Authority.

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

Informatives

The Proposal has been considered against the policies below and the Local Planning Authority's policies for the supply of housing cannot be considered up-to-date as it cannot be demonstrated that there is a five-year supply of deliverable housing sites. It is considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It is considered that approval of this application is not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be reasonably withheld.

National Planning Policy Framework

Core Strategy Policies CS1, CS2, CS3, CS6, CS7, CS8, CS10 and CS11 and Saved Local Plan Policies EN13, EN20, EN28, EN30 and EN38.

Teenager Play Area

Multi Ball Court - (min. 25 x 19m) with a chicane entrance in the middle of either side, run out goal ends (stepped down from 3m), with basketball hoops, cricket stump panel, tarmac surface lined for both football and basketball. Sound dampening features and suitably drained. The ball court should include flood lighting to enable usage on evenings.

Climbing Boulders - They should be a maximum of 3m in height with appropriate impact absorbing surface. Plastic products would not be deemed suitable, concrete 'boulders' would be acceptable. Should have a number of challenges and be of varying heights to provide interest. A cluster of HAGS Rock & Cliff (or equivalent products) would be acceptable if suitably located upon the open space.

Teen shelter - There are numerous products of this type on the market. Should be of metal with a roof structure and ideally create a semi circle of seating. The teen shelter should be sited on a tarmac base with a good access path leading to it.

Seating - Clusters of seating (formal & informal) - placed to allow socialising in varying group sizes.

Younger Play Area

From a play value and experience perspective (as calculate using the ROSPA Play Value Assessment criteria) it should be:

Overall site: Good or above;
Ambience: Good or above;
Toddlers: average or above;
Juniors: average or above;
Teenager: below average or above.

For more general guidance on the siting and design of play spaces refer to the following:

Play England's 'Design for Play: A guide to creating successful play spaces'
http://www.playengland.org.uk/resources/design-for-play?originx_2757hp_70994779705616h30y_2008630728a

Fields in Trust's 'Planning and Design for Outdoor Sport and Play' - available via:
http://fieldsintrust.org/Product_Detail.aspx?productid=dc291578-50c5-49c5-b0d7-3c376db6b801

Surface Water Management

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management, this approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands to reduce flood risk by attenuating the rate and quantity of surface water run-off from a site. This approach can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDs approach.

In accordance with Approved Document Part H of the Building Regulations 2000, the first option for surface water disposal should be the use of sustainable drainage methods (SUDS) which limit flows through infiltration e.g. soakaways or infiltration trenches, subject to establishing that these are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries ground water pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under BRE Digest 365.

A new outfall on either watercourse will need the prior written consent of the Environment Agency under the Water Resources Act 1991. We can provide advice on suitable designs if required.

If the applicants or agents wish to discuss this position with us, they should contact Rory Hunter Development & Flood Risk Engineers on 0191 203 4201.

SITE AND SURROUNDINGS

1. The land at Morley Carr Farm consists of a farmhouse, associated agricultural buildings and open arable fields. The site extends to approximately 22 hectares and lies immediately to the west of the defined urban area of Yarm. The site abuts the B1264 (Thirsk Road) to the south, the B1265 (Allerton Balk) to the east with Worsall Road to the north. To the west of the site lies agricultural land with associated agricultural buildings.

2. The immediate built surroundings are predominantly residential in nature with a mixture of detached and semi detached 2 storey dwellings and single storey bungalows arranged in a typical suburban layout arranged around a hierarchy of residential roads. A number of large individual detached houses including Field House Farm a Grade II Listed Building are situated to the north east. (See Appendix 1 – Site location Plan).

PROPOSAL

3. This is an outline application, with all matters reserved save for means of vehicular access. The proposal comprises a residential led development of up to 350 dwellings; Community Hall; Bowling Green; Public Open Space including an equipped play area, natural play and a 'Kick About Area' and land for Community Use (potential allotments, cemetery, recreation land). An indicative site layout is attached at Appendix 2.

4. The proposal at this stage does not set out a detailed design solution for the site as the application is in outline with all matters reserved for future consideration except for access. However, in order to address the Local Planning Authority's concerns on the potential form and quality of the development, the Design and Access Statement provides a planning and design framework for development on the site. It is not intended as a prescriptive document but sets out a number of urban design principles that future developers would be expected to meet.

5. The design takes account of physical characteristics such as the presence of a gas main crossing the site, running north south at the western side and which prevents building over the pipeline and easement and is utilised for a green corridor/linear park. Archaeological field evaluations have demonstrated that the majority of the area has a low archaeological potential. However there is a discrete concentration of features of suggested Iron Age date (c. 700BC ' AD43) in the north-east corner of the site. It is proposed that these remains will be preserved by design beneath a 'village green'.

6. Vehicular access to the site is proposed from three locations along Allerton Balk as well as a fourth new junction from Green Lane. All of the proposed site access junctions will take the form of simple priority T junctions with the exception of a new mini-roundabout at the junction of Allerton Balk/Everingham Road. It is proposed to reduce the existing 60mph speed limit along the Green Lane Site frontage to 40mph. Additionally the existing 40 mph speed limit along Allerton Balk and Worsall Road will be reduced to 30mph. Pedestrian and cycle links are incorporated into the overall layout. A variety of parking arrangements have been introduced including parking courts, detached garages and integral garages.

7. The proposed housing mix comprises bungalows; family housing ranging from 2 – 4 bedrooms and Executive Style dwellings (5+ bedrooms). Provision will be made for 20% affordable housing. The predominant scale of the majority of the proposed dwellings is 2 to 2.5 storeys in height with 3 storeys at key focal points in addition to a number of single storey bungalows located close to the communal facilities (bowling green and linear park) locations. The proposal also offers a varied range of density across the whole development and coupled with the road hierarchy will create a variety of character areas and add visual interest. The main materials will be facing brickwork and predominantly grey interlocking roof tiles with occasional groups of red.

8. The proposal provides for communal facilities in the retained farmhouse with a glazed link to the rear to connect to the rebuilt/relocated barn and envisaged to be used for meetings, talks, films nursery, cubs, brownies and other uses. A bowls club and amenity/play areas are also proposed as well as a possible land allocation of circa 2 hectares for a cemetery.

9. The scheme also proposes to retain a number of landscape features and provide for substantial hedge and tree planting to help integrate the development into the landscape.

10. To provide sustainable drainage two naturalised surface water ponds are proposed which will be designed to incorporate soft margins to encourage natural colonisation by local wildlife and form a focal point and landscape feature for the adjacent properties.

CONSULTATIONS

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

12. Head of Technical Services

General Summary

Technical Services have no highway or landscape and visual objections to this development. The developer has demonstrated that the additional traffic can be accommodated on the local highway network subject to mitigation. Whilst the development is outside of the limits to development for Yarm and within the Stockton Council Strategic Gap, it is considered that the landscape mitigation offered would integrate the scheme into the local landscape the proposed development would not have a significant impact on the landscape character of the area. Views of the development from the wider are filtered by the undulating topography and the intervening buildings and trees and hedgerows.

Highways Comments

The impact of this development on the local highway network has been assessed and is shown to be acceptable subject to mitigation. This is to be secured via S106 contributions, S278 agreements for works to the highway, Grampian Planning Conditions and a Travel Plan.

Illustrative Masterplan

The application is for outline development of up to 350 dwellings, re-use of the existing farmhouse as an ancillary community hall, public open space, ancillary community outdoor recreational facilities, parking, landscaping and infrastructure works. All matters are reserved other than principle of development and access.

An illustrative Masterplan has been submitted that indicates that the site can accommodate this level of development and appropriate access can be achieved. The layout of the site is a reserved matter and should be designed and constructed to the Council's Design Guide and Specification and comply with the Council's Supplementary Planning Document 3: Parking Provision in Development 2011 for both car and cycle parking. Details of refuse collection and storage will be required along with autotracking of appropriate vehicles around the site. A Stage 1 Road Safety Audit should be submitted as part of the reserved matters for each phase of the development. Construction times should be appropriately controlled and a Construction Management Strategy should be submitted in order to ensure that no works have a detrimental impact on the highway.

Trip Generation and Distribution

A Transport Assessment and supplementary information has been submitted in support of the development for up to 350 residential dwellings and associated infrastructure. The development is located just under 2km from Yarm High Street and existing traffic surveys in the vicinity of the site indicate the following:

Green Lane			
AM Peak (2 way)	425	PM Peak (2 way)	378
Allerton Balk			
AM Peak (2 way)	295	PM Peak (2 way)	233

The trip generation of the site has been identified as follows:

AM Peak (8am -9am)	62 arrivals	133 departures	195 2-way
--------------------	-------------	----------------	-----------

PM Peak (5pm -6pm) 139 arrivals 80 departures 218 2-way

These trip rates are based on traffic surveys of the nearby Layfield estate and for robustness the TRICS (national traffic database) has been interrogated for information on similar developments. The design years have been identified and correct traffic growth factors have been applied. The trip rates are deemed acceptable in this case. From census information trip distribution has been identified. Where the highway network is indicated to be close to capacity additional analysis has been undertaken that considers executive housing and concludes that the local highway network operates within capacity at the following locations with the level of development identified:

Allerton Balk northern site access;
Allerton Balk/Everingham Road site access mini roundabout;
Allerton Balk/southern site access;
Green Lane/site access;
Green Lane/Allerton Balk junction;
Green Lane/Davenport Road junction;
Green Lane/Yarm station bridge traffic signals;
Worsall Road/A67 The Spital junction;
A67 Uray Nook/Yarm Road traffic signals (Cleveland Bay);
A19/A67 Crathorne interchange.

At Green Lane/A67 Thirsk Road roundabout (Crossroads roundabout) it has been identified that by introducing an additional entry lane on the westbound approach mitigates the development traffic. This is to be funded via a S106 agreement. Overall traffic in the vicinity of the site will increase but not to a situation where junctions cannot operate appropriately.

Access

The development is in outline only with access being considered. The proposed accesses are acceptable in principle as indicated on drawing 11053-GA-01 Revision C. One access proposed is a roundabout at the current Allerton Balk/Everingham Road junction, the others are priority junctions. All accesses will be provided by the Highway Authority through a S278 agreement and Grampian planning condition.

Also in order to facilitate the development it is proposed to reduce speed limits on Green Lane, Allerton Balk and Worsall Road from 60MPH to 40MPH on Green Lane and from 40MPH to 30MPH on Allerton Balk and Worsall Road. To reinforce the change in speed limit a speed reducing feature of a traffic island is proposed on Green Lane. Additional pedestrian facilities should also be provided on Allerton Balk to provide pedestrian improvements from the development.

These proposals are acceptable and will form part of the S278 agreement with the Highway Authority.

Sustainable Travel

The Transport Assessment includes specific details of local bus and rail services as the site is in close proximity approximately 1 kilometre from Yarm railway station. It is within a 10 minute walk of the nearest Primary School and 2 kilometres walking distance to the High Street. The site is also within 1500m of the new Yarm Medical Centre.

S278 agreements will be required in order to improve or provide footways and cycleways in the vicinity of the site to improve connectivity to the surrounding areas and encourage sustainable modes of transport towards the railway station and local schools. These improvements are included in the Heads of Terms for the S106 agreement that is necessary should the development be approved. Footway/cycleways where appropriate will also form future reserved matters

applications, particularly along frontages adjacent to the highway; indicative links to the existing highway are shown and are acceptable.

Proposed footway improvements are as follows:

A S106 contribution of £10,000 is to be provided to extend the existing footway on the eastern side of Allerton Balk southwards to Green Lane, dropped crossings will be provided at this junction;

A S106 contribution of £60,600 is to be provided for the provision of a footway/cycleway on Green Lane between the site and Yarm railway station;

A S106 contribution of £14,000 is proposed to provide a footway from the site towards the High Street along Worsall Road;

A S106 contribution of £51,000 is proposed to provide a footway/cycleway is to be provided along Everingham Road.

The nearby Layfield estate is well served by existing bus services approximately every ten minutes. Convenient walking routes to the existing bus stops on Everingham Road will be provided within the site, future reserved matters applications will deal with the internal footways of this development. There are no proposals to extend existing bus services into this site currently, however the proposed access at the Everingham Road junction will be designed to allow bus access should it be required in the future.

Highway Safety

The TA considers highway safety and concludes that there are no inherent highway safety concerns.

Yarm High Street impact

Traffic surveys have been undertaken to establish baseline traffic figures using Yarm High Street during Saturday peak periods. This equates to an additional peak parking requirement for this development of 6 additional spaces. As any impact on Yarm High Street is considered material additional parking should be provided and this provision has been included within the Heads of Terms of the S106 agreement in the sum of £265,000. It should be noted that whilst a parking demand has been demonstrated, the Highway Authority concludes that this is the minimum additional parking to be provided. The Layfield estate has a 10 minute bus service currently operating and is closer walking distance to Yarm High Street. There is a mix of property types within this estate however it is noted that there is no housing that would be deemed 'executive'. The housing mix at Morley Carr development is yet to be determined, however it is noted that an element of executive housing will be included that is known to be high trip generating. It is therefore concluded that additional car parking provision in Yarm should be included within the S106 Heads of Terms.

Travel Plan

With this application a Framework Travel Plan has been submitted which set out the applicant will include in a detailed full travel plan to reduce the number of trips made to and from the site by car. The Framework Travel Plan indicates that the detailed full travel plan will include

Mode split targets that will be set to reflect or improve on the predicted traffic generation figures

The site management company will act as the Travel Plan Coordinator;

2 additional cycle lockers to be positioned at Yarm railway station;

Details of the cycleway network to be promoted and advertised;

Details of the public transport timetables to be promoted and advertised;

Details of liaison between the Travel Plan Coordinator and local schools to support school travel plans;

Details of the communication and marketing of travel plan.

Should this application be considered for approval a full travel plan must be submitted prior commencement of the development.

The Full Travel Plan must include:

Contact details for the Travel Plan Coordinator;

Timescales for the Travel Plan Coordinator to be in place for (minimum of 5 years);

Modal split targets and measures to achieve these targets, which must be SMART Specific, Measurable, Achievable, Realistic and Timebound;

Details of an exit strategy of how the Travel Plan will be continued once the TPC has left the site (e.g. a community travel plan forum/group established);

Details of the welcome/marketing pack that is to be given to buyers/occupiers, including any electronic media (e.g. webpage);

Within the Heads of Terms of the S106 agreement that £100 per dwelling should be available as a travel plan incentive payment. A total cost of £35,000. The Travel Plan Coordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive.

Summary

In summary, this development is acceptable in highway terms as junction assessments have been undertaken that indicate sufficient capacity is available within the local highway network.

Highway mitigation however is proposed in order that the footway links and cycle facilities in the vicinity are improved. These improvements which are summarised below are to be secured by the following S106 contributions:

For improvements to the existing footway on the eastern side of Allerton Balk will be extended southwards to Green Lane, dropped crossings will be provided at this junction;

For the provision of a footway/cycleway between the site and Yarm railway station;

For the provision a footway from the site towards the High Street along Worsall Road;

To provide a footway/cycleway on Everingham Road.

In order to facilitate access it is proposed to provide:

3 priority junctions;

Roundabout access;

Reduction in speed limit on surrounding highway;

A speed reducing feature of a traffic island is proposed on Green Lane;

Additional pedestrian refuges on Allerton Balk.

Highway mitigation is also proposed:

To increase the entry lanes at Green Lane/A67 Thirsk Road roundabout (Crossroads roundabout);

To provide additional car parking in the vicinity of Yarm town centre.

Landscape & Visual Comments

Landscape Character

Illustrative Master plan – open space

The Illustrative Master plan as shown on plans Y81.829.05 and Y81.829.06 allows for a generous provision of open space along side the main housing areas including 1.74 hectares of land in the south western corner of the site for community use such as allotments or a cemetery.

The application site contains a service easement in the form of a high pressure gas main on the western edge of the site. The illustrative layout makes use of this easement by creating a wide green corridor running north south across the site that links to the more formal open spaces (the play area and bowling green) and possible land for community use at its southern end. This large open space is connected to other green spaces in the development such as the 'The Green', in the north west corner of the development and the Suds ponds via a network of footpaths set within

narrow green corridors planted with tree shrubs and hedges with connection also afforded into the wider countryside from these paths. These footways and cycleways should be constructed in accordance with the Local Authority (Stockton Borough Council -SBC) design guidance.

To reduce the visual impact of the development a green edge retaining the existing hedges together with footpaths and new tree planting has been provided around all edges of the site.

Play Areas

Play provision must be provided for all age groups including young children and teenagers. Whilst the illustrative Masterplan proposes an acceptable area for the play provision it shall be supplied and installed to a specification to be agreed in writing by SBC. A condition shall be applied to any planning consent to require this agreement.

The play area for the younger element should be provided in a self contained area with necessary buffer zones. Based on existing schemes that require fixed play equipment the surface area requirement would be broadly square in shape and in the region of 2500m². Play areas of this type usually consists of an equipped play provision that caters for the for a wide age range (4 – 8, 9 -13 & 13+) and safer surfacing together with associated infrastructure such as: fencing, drainage and CCTV. In addition good access (from footways, cycleways and adopted highway access) together with good natural surveillance will be required.

A buffer zone of 30m minimum depth will be required between the play area activity zone and the boundary of the nearest residential property and adopted roads. For proximity to roads consideration should be given to appropriate fencing, gates and barriers need to be provided. ROSPA would be able to offer detailed advice.

Kick about areas and other areas of public open space shall be laid out in accordance with a design agreed in writing with the LA. The Open Space Sport and Recreation SPD provides the applicant with the methodology of how to calculate the cost of such a scheme. In addition further details are contained in the Stockton Borough Council's own 'Design Guidance Notes for the Installation of New Play Areas' – available on request.

All teenage orientated facilities should have a buffer zone of at least 30m from residential properties.

Further details for play provision is contained in the Informative section of this Memorandum.

Any sport or play equipment must be to the most up to date and appropriate standard and installed in accordance with the current code of practice. For more information on the above please refer to the Councils guide to play areas, the FIT Planning & Design for Sport and Play and the Play England guidance on play.

Should approval be granted a condition requiring POS provision, layout and access arrangements shall be agreed as part of any reserved matters application.

Planting

The layout proposes a wide range of planting areas ranging from structure planting, street trees amenity grassed area and Sustainable Drainages areas (SUDs). Should approval be granted a condition requiring landscaping proposals shall be agreed as part of any reserved matters application.

Street Trees within the Adopted Highway

The layout proposes a series of green corridors along the highway with tree lined roads and green corridor footpath links. The Local Highway Authority (LHA) would be (subject to agreement of details via a S38 Agreement) accept Street Trees and other functional vegetation in highway verges. If these highway corridors include street trees that would be offered for adoption then the following details would have to be taken in to account as part of any reserved matters application. The Street Trees shall be planted at a maximum of 10m centres and shall be of a stock size of 20 - 25cm girth, rootballed stock type. Trees in grass verges shall be triple staked with wire tree guard. Trees in hard surfaces would require tree grill and guards. Such details would be agreed as part of the Hard Landscape proposals submitted as part of any reserved matters application. Details of the area required for the planting of avenue trees shall be agreed as part of any reserved matters application. The construction details and planting establishment and maintenance specifications for the trees and surfaced pits would be agreed as part of the S38 Agreement for adoption.

Maintenance

SBC is currently not minded to accept title transfer of POS including the play equipment on site. This is due to the layout which allocates service corridors and sustainable drainage areas as recreational space. The open space would, therefore, have to be maintained and managed in perpetuity through a management company or other appropriate organisations as deemed acceptable by the LA and not transferred to SBC.

Should approval be granted a condition requiring that the long term management proposals for the POS on this site for a period of 25 years shall be agreed as part of any reserved matters application?

Details of any costs associated with the establishment and maintenance of POS including the provision of a bond to ensure that the POS is provided to the agreed standard should be included in the Heads of Terms for attached to any planning consent.

Hard Landscaping, Street Furniture, Lighting and Enclosure

Hard landscaping, Street Furniture including Lighting and Enclosure details would be required to be conditioned. As part of any reserved matters application details of enclosure would have to be agreed. However it is worth noting that enclosure facing adopted highways must be constructed of brickwork.

Public Art

It is considered for this application that Public Art be best served by the bespoke enhancements to the hard landscape elements such as fencing and site furniture. The Public Art provision should be agreed as part of the Hard Landscaping, Street Furniture condition.

Ground Levels

Existing and proposed levels would be required to be conditioned.

Existing site trees

The tree survey including an Arboricultural Impact Assessment which has been undertaken in accordance with BS5837 and this highlights retention categories for all trees within the defined area.

The assessment states that all existing trees within the site would need to be removed as part of the proposed layout but it is considered that some of these trees can and should be retained within the scheme as follows.

The line of existing lime trees Tree T2-T15 are mostly listed as category B trees and a number of these can be retained along the southern most entrance road on the north side accessing off Allerton Balk adding maturity to the development – it is noted that some would be lost to the new road called The Avenue but all the trees that can be retained must be shown accurately on detailed plans.

It is possible that Pear Tree T21 could also be retained within the play area space and this possibility should be looked at.

All proposed works to trees that can be retained on the site including retention/ removal, and/or pruning work should be shown on a 'Tree Protection Plan' that details all tree protection measures –including a scale drawing to show protective fencing layouts and highlighting where modified design and construction methods may be required, e.g. no dig path construction and ground protection.

The Tree Protection Plan I would be required to be conditioned.

Flood Risk Management

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 should be used. Any increases 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 flood risk assessment acknowledges the fact that surface water attenuation would be required on site.

The submitted site specific FRA proposes the surface water strategy should be considered in order of the sustainable hierarchy. The Council supports the use of sustainable drainage systems and welcomes the pending legislation. The FRA predicts that the anticipated volume of storage required on site being approximately 4500m³ resulting in a required substantial storage area. The storage proposal that has been considered would be to provide storage via pond/ponds with the possibility of swales prior to entering the SUDs ponds. The Council would support this proposal subject to a full detailed design and calculations showing how the drainage system performs in a 1 year, 30 year and 100 year storm event and again over the same periods with a 30% allowance for climate change to be submitted to the Authority for consideration. Calculations using the WinDes Software (Micro Drainage) are preferred.

The applicant proposes discharge via SUD to a watercourse and with the majority of the site falling marginally to the north towards the River Tees. The applicant would require consent from the Environment Agency to discharge into the River Tees.

Environmental Policy

The developer has committed to provide further detail on carbon emissions and use of renewables at a later stage. This detail will be required to confirm compliance with the Council's core strategy on embedded renewables.

Informative

Teenager Play Area

Multi Ball Court - (min. 25 x 19m) with a chicane entrance in the middle of either side, run out goal ends (stepped down from 3m), with basketball hoops, cricket stump panel, tarmac surface lined for both football and basketball. Sound dampening features and suitably drained. The ball court should include flood lighting to enable usage on evenings.

Climbing Boulders - They should be a maximum of 3m in height with appropriate impact absorbing surface. Plastic products would not be deemed suitable, concrete 'boulders' would be acceptable. Should have a number of challenges and be of varying heights to provide interest. A cluster of HAGS Rock & Cliff (or equivalent products) would be acceptable if suitably located upon the open space.

Teen shelter - There are numerous products of this type on the market. Should be of metal with a roof structure and ideally create a semi circle of seating. The teen shelter should be sited on a tarmac base with a good access path leading to it.

Seating - Clusters of seating (formal & informal) - placed to allow socialising in varying group sizes.

Younger Play Area

From a play value and experience perspective (as calculate using the ROSPA Play Value Assessment criteria) it should be:

Overall site: Good or above;
Ambience: Good or above;
Toddlers: average or above;
Juniors: average or above;
Teenager: below average or above.

For more general guidance on the siting and design of play spaces we would recommend they refer to the following:

Play England's 'Design for Play: A guide to creating successful play spaces'
http://www.playengland.org.uk/resources/design-for-play?originx_2757hp_70994779705616h30y_2008630728a

Fields in Trust's 'Planning and Design for Outdoor Sport and Play' - available via:
http://fieldsintrust.org/Product_Detail.aspx?productid=dc291578-50c5-49c5-b0d7-3c376db6b801

13. Environmental Health Unit

Regarding the submitted Air Quality Report, Environmental Health have no comment to make.

14. Spatial Plans Manager

I consider that the key policy areas in relation to this application are as follows:

The supply of deliverable housing land
Relationship to the adopted development plan
Relationship to the Core Strategy Review of Housing process
Relationship to the National Planning Policy Framework

The supply of deliverable housing land

The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF maintains the requirement for local planning authorities to demonstrate a 5-year supply of

deliverable housing land and adds a requirement for a 5% or 20% buffer depending on whether or not there has been persistent under delivery.

The Council has produced a report entitled '5 Year Deliverable Housing Supply Final Assessment: 2012 – 2017'. For the reasons set out in the report the assessment has been undertaken using the requirement for a 5% buffer as a benchmark. Using a base date of 1 April 2012 the Report concludes that the Borough has a supply of deliverable housing land of 4.08 years. The Council is not therefore able to demonstrate a 5-year supply of deliverable housing land. This is a significant material consideration in relation to this application.

Relationship to the adopted development plan

The Spatial Strategy For Housing

Point 2 of 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.'

Point 3 of Policy CS1 states '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 therefore, contrary to the spatial strategy for housing in the adopted Core Strategy.

Housing Distribution and Phasing

Point 1 of Core Strategy Policy 7(CS7) - Housing Distribution and Phasing, sets out how housing will be distributed and phased consistent with the housing spatial strategy. Point 2 states 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.

The proposal would contribute to achieving overall housing targets and to reducing the shortfall in the 5-year supply of deliverable housing land and is therefore consistent with Point 1i) and Point 1ii) of the Policy without reference to the spatial strategy context for the policy. The proposal is contrary to Point 1iii) of the Policy and there is the potential for conflict between it and Point 1iv) of the Policy.

Housing mix and affordable housing provision

Point 5 of Core Strategy Policy 8 (CS8) states 'Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more'. The Planning Statement submitted on behalf of the applicant states 'Taylor Wimpey are fully committed to providing 20% affordable housing as part of the development proposals either on site, or in lieu by way of a financial contribution'. On the basis that the applicant is prepared to provide 20% affordable housing on-site, the proposal accords with Point 5 of Policy CS8.

Limits to Development

Saved Policy EN13 - Limits to Development in the adopted Local Plan (1997), seeks to maintain the limits to development that have been identified around the main urban core and the village. In order to do this the policy sets out the categories of development that can be permitted outside the limits to development without compromising this objective. The development proposed by the applicant does not fall into any of the categories listed. The proposal is therefore, contrary to Policy EN13.

Strategic Gaps

Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement, states at Point 3i) '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 strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George'. The application site is outside of the Limits to Development for Yarm and forms part of the strategic gap separating Yarm from the villages. The proposed development is therefore, contrary to Point 3i) of Policy CS10.

Relationship to the Core Strategy Review of Housing Options process

The Council has recognised that because of changing economic circumstances and the reductions in the public funding available to support regeneration schemes, the housing strategy in the adopted Core Strategy will not deliver the housing requirement for the Borough. Although the Council retains very strong regeneration aspirations, it is firmly committed to achieving the housing requirement for the Borough to 2029. For this reason the Council decided to undertake a review of housing options. This review encompasses the housing spatial strategy and the housing distribution and phasing policy as well as aspects of the housing mix and affordable housing provision policy. This process formally began with the Core Strategy Review of Housing - Issues and Options, public consultation held over a 12 week period in summer 2011.

Draft Preferred Options Housing Allocations

The site is identified in the Core Strategy Review of Housing - Issues and Options document. The results of the Core Strategy Review of housing process will be incorporated into the Regeneration and Environment DPD. The Regeneration and Environment DPD Preferred Options document will be reported to the Cabinet of 11 July 2012 and to the Full Council of 18 July 2012 with approval sought to publicly consult on the document. If approved then the public consultation will commence on 30 July 2012 for a period of 8 weeks completing on 24 September 2012. The application site is identified in draft Policy H1 - Housing Allocations, as one of the preferred options for housing allocation in the document (subject to Cabinet and Full Council endorsement). The status of a site that is included in the Preferred Options is that it is a draft allocation. It is therefore, supported as such by professional officer opinion. However, this does not reduce in any way the weight that the Council attaches to any significant policy or environmental constraints that are relevant to these sites.

Draft Preferred Options Limits to Development

The pre-amble (paragraph 2.25) to Strategic Policy 2 (SP2) - Limits to Development, in the Regeneration and Environment DPD Preferred Options document, states Policies relating to Limits to Development and Green Wedges have, in the past, sought to control the expansion of built up areas both to protect the countryside for its own sake, and to encourage the recycling of derelict and underused sites within the urban area. This approach was reflected in the adopted Stockton-on-Tees Core Strategy, as the Spatial Strategy Policy sought to concentrate development within the Core Area and remaining urban area, and to support appropriate development within rural areas and villages. This document proposes some changes to this approach by identifying housing

sites which will expand the urban area'. The policy sets out the types of provision that the Council will support development to provide outside the Limits to Development. The proposed development does not fall into any of the types of provision stated in the policy. However, Preferred Options Policy SP2 needs to be read in conjunction with Preferred Options Policy H1 in relation to the development proposed by the applicant. The pre-ambule to Policy SP2 makes clear that if a site currently outside the Limits to Development is allocated for housing then the Limits to Development of the main urban area will be re-drawn to be consistent with this. For the weight that I consider can be attached to emerging policies SP1 and H1 see paragraph 24 of these comments.

Relationship to the National Planning Policy Framework

The presumption in favour of sustainable development

Paragraph 12 of the NPPF states: 'This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.'

The adopted Core Strategy is largely NPPF compliant and therefore, up-to-date. However, it is acknowledged that the housing spatial strategy and the housing distribution and phasing policy are not NPPF compliant.

Paragraph 14 of the NPPF states that the presumption in favour of sustainable development is a 'golden thread running through both plan-making and decision-taking'. For plan-making this includes local planning authorities positively seeking 'opportunities to meet the development needs of their area'. For decision-making it 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.

It is clearly relevant that the proposed development does not accord with the development plan (conflict Saved Policy EN13 of the adopted Local Plan (1997) and with Point 3i of Core Strategy Policy CS10). It is also clearly relevant to assessing the adverse impacts of the application, that it seeks to bypass the plan-making process in conflict with one of the core planning principles stated in the NPPF (see paragraph 17 of these comments) and with the general emphasis in the NPPF of a plan-led approach.

Core planning principles

The NPPF states that there are 12 core principles which should underpin both plan-making and decision-taking. These include the core principle that planning should be 'be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency'.

Delivering a wide choice of high quality homes

The NPPF states: 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.' (paragraph 49)

The relevant policy for the supply of housing is Core Strategy Policy 7 (CS7). The authority is not currently able to demonstrate a five-year supply of deliverable housing sites. This policy is therefore, not up-to-date. Points 2 and 3 of Policy CS1 - The Spatial Strategy, set out the housing spatial strategy. Points 2 and 3 of Policy CS7 are therefore, also not up-to-date.

Plan-making

Paragraph 150 of the NPPF states 'Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise'. It is clearly highly relevant to this application that it seeks to bypass the plan-making process. It is also relevant that it is in conflict with Saved Policy EN13 of the adopted Local Plan (1997) and Point 3i) of Core Strategy Policy 10. It is acknowledged that the Council's inability to demonstrate a 5-year supply of deliverable housing land is a material consideration to which significant weight should be given. However, I do not believe that it is sufficient to 'indicate otherwise' given that this is being addressed through the Core Strategy Review of housing options.

The weight decision-makers may give to relevant policies in emerging plans

Paragraph 216 of the NPPF states that decision-takers may give weight to relevant policies according to:

the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The emerging plan is at the draft preferred options stage. I do not consider this to be sufficiently advanced a stage in the emerging plan to attribute significant weight to emerging policies. The application site attracted a significant number of objections through the Core Strategy Review Issues and Options consultation process. I consider that this further reduces the weight that can be attached to the draft allocation. The proposed development is broadly consistent with the policies in the NPPF.

Implementation

Paragraph 213 of the NPPF states 'Plans may, therefore, need to be revised to take into account the policies in this Framework. This should be progressed as quickly as possible, either through a partial review or by preparing a new plan.' Paragraph 214 adds, 'For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.' It is clearly relevant to this application that the local authority is reviewing the housing policies that are not up-to-date as quickly as possible through the Core Strategy Review of housing options (the DPD incorporating the results of the review is scheduled for adoption in January 2014).

Summarising comments

It is a significant material consideration that the Council is not currently able to demonstrate a 5-year supply of deliverable housing land. The Council is committed to addressing housing delivery through a plan-led approach. The Regeneration and Environment DPD is scheduled for adoption in January 2014. The Regeneration and Environment DPD will incorporate the results of the Core Strategy Review of housing options. The DPD will allocate sufficient deliverable and developable housing sites to ensure that the housing requirement to 2029 is met and that a rolling 5-year supply of deliverable housing sites plus a 5% buffer is achieved.

The site is identified as a preferred option for housing allocation in the Regeneration and Environment DPD. However, the Council attaches great weight to ensuring that the process of site allocation is an open, transparent and participatory one which allows full opportunity for comment to the wider public and other stakeholders. The preferred options stage cannot therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy. It is clearly fundamental to the legitimacy of Core Strategy Review process that there is consistency in the decision-making process in relation to all potential housing sites. Whilst allowing one preferred option site to come forward would undoubtedly contribute to reducing the acknowledged shortfall in the 5-year deliverable housing supply, this would set a wholly undesirable precedent in respect of the integrity of the DPD preparation process. The NPPF strongly reinforces the importance of a plan-led process as stated at paragraphs 16 (core planning principles) and 18 (plan-making) above.

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and adds that where relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. It is acknowledged that Policy CS7 and points 2 and 3 of Policy CS1 in the adopted Core Strategy are not up-to-date. When assessing the policies in the Framework as whole, it is necessary to balance the contribution that the proposal would make to reduce the shortfall in the 5-year deliverable housing supply against the setting of a wholly undesirable precedent in respect of the integrity of the DPD preparation process.

Further to this balancing exercise is the fact that the proposed development is contrary to Saved Policy EN13 of the adopted Local Plan (1997) and Point 3i) of adopted Core Strategy Policy CS10. Limits to Development and Strategic Gaps are a local designation. They are therefore, not specifically referenced in the NPPF. However, they are local designations to which the Council attaches great importance. The Council fully acknowledges that this principle has to be tempered by the need to allocate housing sites which will expand the urban area. This acknowledgement is being given full expression through the DPD preparation process currently being undertaken.

I consider therefore, that on balance the fact that the Council is not currently able to demonstrate a 5-year supply of deliverable housing land is offset by the Council's absolutely clear and firm commitment to addressing housing delivery through a plan-led approach. The housing policies that are not up-to-date are being updated through this process and this is being progressed as quickly as possible, consistent with NPPF paragraph 213. It is therefore clear that the current inability to demonstrate a 5-year supply is a temporary situation which will be remedied through the plan-led process consistent with fully engaging local communities and other stakeholders.

15. Highways Agency

The Highways Agency has reviewed all associated information in relation to the above application and has no objection in principle to the above named development.

16. The Environment Agency

The Environment Agency has received information direct from Darren Linklater of iD Civils Design Ltd., the agent, on 4 May 2012 in relation to the above application. If this information forms part of a formal planning application then we wish to withdraw the previous objection to the proposed development subject to the following:

Environment Agency position

The developer has confirmed that despite there being no landowner agreements in place, if necessary it is possible to requisition a sewer from NWL for the site. This being the case, we can condition a drainage scheme. The proposed development will only meet the National Planning Policy Framework (NPPF) policy to not increase flood risk elsewhere if the following planning condition is included.

Condition

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 must include the following:

1. An appropriate discharge rate.
2. Confirmation that the network can discharge to an appropriate location.
3. Confirmation that the network can operate without flooding up to the 30 year peak storm event.
4. Confirmation that the network can operate up to the 100 year peak storm event without flooding to people or property while retaining all water on site.
5. Confirmation climate change has been considered in the design.
6. Details of the maintenance regime for the network.
7. Details of any outfall structures.

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 prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Note

Due to the size of the site, there is plenty of scope for the use of sustainable drainage systems even if infiltration is not feasible. Ponds and swales can be used as storage and conveyance for storm water management and be used to create public open space within the development.

17. Councillor Ben Houchen

I am writing to inform you of my objection to the above planning application on the following grounds.

- 1) In compliance with the current core strategy I would urge the Council to work within existing limits and to explore brownfield sites rather than expanding into Greenfield areas. The use of brownfield sites within the Core Area is not only more consistent with policy but far preferable to the wholesale encroachment onto Greenfield sites outside the limits of existing settlements. While it is obvious why developers will want to develop on Greenfield sites, the viability of existing sites must be given priority when looking to allow large scale developments.
- 2) Given the community's reluctance to agree to any development outside the limits of existing built-up areas, MCF Phases 1 and 2 are already over-generous in terms of the meeting of housing needs in the Borough; the enlarged site should be rejected.
- 3) There appears to be major discrepancies between the application document, which refers to 350 units, and the Council's own assessment, which talks of the potential for 169 and MCF Phase 2 producing 207 units: a total on the combined 16.75 ha site of 376 units. To me this would suggest that these discrepancies should be considered prior to any approval being given.
- 4) At present, Yarm copes with the current traffic levels; however, these will be exacerbated by any large scale development such as the one being proposed. Access routes in and out of Yarm, in all directions, will become overloaded and the current infrastructure will be unable to cope with the extra cars. I believe it is important to note the traffic surveys carried out by the applicant and that it is suggested that such a survey was not carried out at peak traffic times, thus underplaying the severity of the potential impact. Indeed, should an accident occur in or around Yarm then, as experience would tell any resident, Yarm would become gridlocked at peak times. The traffic survey also fails to take into account the effect of the development which has already been approved at Tall Trees and the additional traffic that such a development will bring to the area. It is also suggested that the survey's methodology was flawed producing erroneous results, which show little impact in traffic flow. Anecdotally I must say that this is ridiculous and the introduction of 350 new units would have a devastating impact on local traffic infrastructure.
- 5) The combined effect of these errors suggest that the applicants have significantly understated the traffic effects of their proposals.
- 6) I would suggest that there are also longer term infrastructure issues, which have failed to be taken into consideration:
 - a. Stockton is currently experiencing significant levels of inward migration, something which is expected to continue for the foreseeable future; additionally
 - b. Stockton are also aware that there is likely to be another 'baby boom' within the next 5 - 10 years, which will correspond directly with when the proposed development would be almost, if not entirely, finished.This must be taken into consideration as there is clearly no consideration being given to the impact such a large development would have on local school populations. Schools in the local area, primary schools especially, are suffering from shortages which are likely to continue into the future. This is a problem Stockton, along with other Local Authorities, are looking into now so as to head off what could become a crisis in schooling provision. At present, the application does not take into account this risk and the approval of such a development would place a huge financial burden on the local authority, which it could not manage.
- 7) In addition to the schools, there would also be an increased burden on health services in the area given that the new medical centre is already full and many residents must go elsewhere for medical provision. Indeed, new residents to Yarm are having difficulty registering with the Worsall Road Doctors Practice and the Sunningdale Doctors Practice in Eaglescliffe.
- 8) There is also the issue that as part of the proposal there is to be a 'greenbelt' of land on the west side of the development. This was put in place to allow for a walkway for ramblers and local residents; however, this was also inserted as there is a very high pressure gas main beneath this area and, as such, was not allowed to be built on or near. While the applicant appears to be

complying with the building restriction in respect of this they appear to be actively encouraging members of the public to use this area for recreational purposes, which I would suggest raised significant risks in the future, given that the gas main has exploded before. Additionally, for the applicant to dress up such a restriction as a concession, especially given the circumstances in which it was offered, raises significant questions about the openness with which the applicant is approaching this application.

9) While I have no evidence, I would also like to register my concerns regarding the nesting of bats in the barns and outhouses, which are located on this site, and I would ask that the Council considers their duty in respect of this. Furthermore, I believe such a development may infringe on a local wildlife corridor, which should be investigated prior to approval.

10) Finally, as a local Borough Councillor and Town Councillor I would like it to be registered that this is something Yarm and Kirklevington do not want and for the Council to allow such a development to progress would be undemocratic and would cause an increasing number of residents to harbour a mistrust of the Council.

11) Such a development would also add strain to Thirsk Road as an access by an increased number of cars through Kirklevington to access the A19. This then has a significant impact of residents from Kirklevington trying to leave the village.

12) There is also the issue of single file traffic over the railway bridge and down Green Lane with the current traffic light system.

13) Given other issues surrounding parking and access to and from Yarm High Street this will greatly exacerbate an already major problem for the area.

18. Yarm Town Council

Yarm was once a small settlement surrounded by agricultural land. All of this that is now left in Yarm Parish amounts to about 60 hectares. This should be preserved both to prevent Yarm losing its identity by being absorbed in a general urban sprawl and as a part of the Town's heritage. It follows that development should be discouraged between Yarm and Worsall village, the latter remaining surrounded by farmland; the wedge between Yarm and Kirklevington village serves much the same function to the South.

Yarm, set as it is in a loop of the Tees, has particular traffic problems. Its main shopping street, The High Street, is also the through-route; the alternative, West Street, is narrow, often lined with parked cars and, at its South end, threads beneath the railway viaduct. It is impractical for all but small vehicles.

The Morley Carr proposals, with its 350 dwellings, could well generate another 700 motor cars; adding an unbearable burden upon travel into Yarm. No-one will want to visit Yarm to shop if more congestion exacerbates further its present problems. Though robust, the economy of Yarm requires support. Mindful of the 800 dwellings being built at Eaglescliffe, it is already having to brace itself for additional traffic problems which could well destroy the economy of this ancient town.

Yarm High Street is not the only traffic problem that would arise from the development of Morley Carr. The railway bridge on Green Lane (B 1264) is narrow, requiring traffic lights to control the flow across it. It must be very doubtful if it could withstand the demands made by a large increase in vehicles.

If development on the proposed scale is allowed to proceed it should only be on the very strictest understanding, agreed before planning permission is granted, that improvements to the local infrastructure, including schools and roads, will take place at the same time and not at some vague future date

19. Tees Archaeology

The developer has provided an archaeological field evaluation (in the form of a geomagnetic survey of the majority of the area followed by targeted trial trenching). I agreed the methodology for these investigations and monitored them in the field and can confirm that they have been carried out to the appropriate standards. The submission of the field evaluation reports and 'Archaeology Statement' fulfil the information requirements of the National Planning Policy Framework 2012, para. 128 with regard to sites with heritage assets of archaeological interest.

The field evaluations have demonstrated that the majority of the area has a low archaeological potential. However there is a discrete concentration of features of suggested Iron Age date (c. 700BC ' AD43) in the north-east corner of the site. The developer proposes that these remains will be preserved by design beneath a 'village green'. This avoids any conflict between the significance of the remains and the development (NPPF, para. 129). I support this proposal for physical preservation.

The archaeological report states that the archaeological remains are preserved beneath a thin topsoil of c. 0.25-0.3m. Construction works will be taking place in the near vicinity (e.g. creation of the large pond and adjacent housing). In such circumstances it would be reasonable to request that the developer provides a method statement detailing how physical preservation will be achieved (e.g. marking out the area to be preserved and prohibiting vehicular access). This should be a condition of any planning consent. I set out below the suggested wording for this condition: -

Preservation of heritage assets during construction

No development shall commence until the developer has provided a method statement detailing the how the physical preservation of the Iron Age settlement will be achieved. This should include proposals for fencing around the [heritage asset] to a design approved by the Local Planning Authority in writing. No works shall take place within the area inside that fencing unless approved in writing by the Local Planning Authority.

The archaeological report states that further work is required to process the finds and environmental samples from the field evaluation and that this will take place alongside any additional fieldwork. In this case I would recommend archaeological monitoring on those parts of the development within 200m of the identified archaeological features to record any further ephemeral features not picked up by the geomagnetic survey. In the first instance I would recommend monitoring during the construction of the adjacent access road, presuming that these will be the first stage of development. If this does not produce any further archaeological results then the archaeological monitoring could be abandoned at this stage. A further planning condition is recommended to ensure processing of the finds and samples from the field evaluation and for archaeological monitoring in the vicinity of the Iron Age site. This is in line with the NPPF para. 141. I set out below the suggested wording for a multi-part 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.

Both of these conditions are derived from models recommended to the Planning Inspectorate by the Association of Local Government Archaeological Officers.

I am pleased that the developer has chosen to retain the farmhouse at Morley Carr. Although I have no formal information about this building I noted that it appeared to be of some architectural interest during my monitoring visit to the archaeological trial trenching.

20. Natural England

Planning consultation: Bat survey for residential development, community hall, public open space, outdoor recreational facilities and associated access arrangements and landscaping.

Location: Morley Carr, Allerton Balk, Yarm

Thank you for your consultation dated and received on 11 June 2012.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further to our previous response dated 2 May 2012 we note that an additional ecological report has been submitted.

Natural England's advice is as follows:

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made. 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.

The standing advice has been designed to enable planning officers to assess protected species surveys and mitigation strategies without needing to consult us on each individual application. The standing advice was issued in February 2011 and we recognise that it will take a little while for planners to become more comfortable with using it and so in the short-term will consider species surveys that affect European protected species against the standing advice ourselves, when asked for support by planners.

We have not assessed the survey for badgers, barn owls and breeding birds¹, water voles, widespread reptiles or white-clawed crayfish. These are all species protected by domestic legislation and you should use our standing advice to assess the impact on these species.

¹ Unless protected by Schedule 1 of the Wildlife & Countryside Act 1981 (as amended).

Page 2 of 3

Please send consultations via email to: consultations@naturalengland.org.uk

How we used our standing advice to assess this bat survey and mitigation strategy

We used the flowchart on page 10 of our Standing Advice Species Sheet: Bats beginning at box (i) and came to the following conclusion:

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 No, the status of the roost is not known (eg maternity/ nursery/ feeding/ hibernation) and the species of bat to be affected reliably identified. This took us to Box (ix).

Box (ix) - We determined that Yes, the survey had identified the species of bat(s) present and the status of the roost had been identified as a result of evening emergence/ dawn re-entry surveys undertaken between April and September. 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. It is for the local planning authority to establish whether the proposed development is likely to offend against Article 12(1) of the Habitats Directive. If this is the case then the planning authority should consider whether the proposal would be likely to be granted a licence. Natural England is unable to provide advice on individual cases until licence applications are received since these applications generally involve a much greater level of detail than is provided in planning applications. We have however produced guidance on the high-level principles we apply when considering licence applications. It should also be noted that the advice given at this stage by Natural England is not a guarantee that we will be able to issue a licence, since this will depend on the specific detail of the scheme submitted to us as part of the licence

21. Stockton Police Station - Eddie Lincoln

Stockton Police has no comments or objections to make to this application but would suggest that Secured by Design principals are adhered to, these principals assist in creating a safe and secure environment which is the prime objective of the Secured by Design requirements and recommendations. To achieve this objective, equal weight should be given to both environmental design and physical security. Local conditions will influence to some degree the measures to be adopted.

22. The Ramblers Association

1 We thank the council for consulting the Ramblers on the proposed development. We note that FP Yarm 07 (a track) is immediately adjacent to the site's northern boundary. Should the council

be minded to give permission for the development we ask that conditions be imposed: to preserve the hedgerow between the site and FP 07; to ensure that the public's use of FP 07 is not interrupted at any time; to provide a convenient alternative should development require temporary closure of FP 07; and to provide access for residents on foot through the northern boundary to allow them and others to conveniently enjoy the nearby rights of way network with all the ensuing benefits to health and wellbeing.

23. Private Sector Housing

The Private Sector Housing Division has no comments or objections to make to this application but would suggest that colleagues within Housing Strategy are consulted on this type of application.

24. Head of Housing

The Strategic Housing Market Assessment (SHMA) 2012 has identified an annual affordable housing need in the borough of 560 units, with the majority of need being for smaller properties. (Please note this figure is taken from the draft SHMA 2012. The figure is therefore provisional although we anticipate that the overall totals are unlikely to change prior to publication, which is anticipated in May 2012).

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

Affordable housing provision within a target range of 15 - 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more.

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.

We note from the Planning Statement submitted as part of this application the developer is fully committed to providing 20% affordable housing as part of the development proposals and would therefore accept the proposed percentage of 20% as it is in line with Council policy.

Based on a market site scheme of up to 350 units, 20% affordable housing, as proposed by the developer, would equate to up to 70 affordable units. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

The mix of affordable housing currently required to be provided is 20% intermediate and 80% rented tenures, and based on the SHMA 2012 a high priority will be accorded to the delivery of smaller 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 target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

A worked example based on a requirement for 70 affordable units: -

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

80%	56	Rent
20%	14	Intermediate Tenure

Bed Size: Using borough wide figures from the SHMA 2012 (NB these figures are provisional)

2 bed 91% 64 units
3 bed 9% 6 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
64	2 bed	51 X Rented 13 X Intermediate Tenure
6	3 bed	5 X Rented 1 X Intermediate Tenure

Space standards - the Council would expect all affordable housing units to comply with Homes and Communities Agency Design and Quality Standards.

25. Kirklevington and Castle Levington Parish Council

The Parish Council has already expressed its reservations about this site and others around Yarm which were identified for potential housing development. The Parish Council wish to object to the above application. It is currently outside the limits of development agreed by Stockton Borough Council. We see the following issues as being of major concern: Increased volume of traffic and impact on highways. Considerable increase in traffic at peak times - possible extra 700 vehicles. Existing queuing bottle neck through Yarm at peak and popular times. Access to A19 through Kirklevington - traffic unable to exit village, Single file traffic along Green Lane with traffic lights over railway bridge, Existing lack of parking in Yarm, Impact on schools in the local area. Impact on health services. New residents to Yarm and Kirklevington are already having their requests to join the local Worsall Road Doctors Practice for healthcare turned down. Already 20 minutes from North Tees Hospital at off peak times. Impact on emergency route used when issues arise on A19 resulting in closure and diverted traffic through Yarm. Presence of a high pressure gas main running close to the proposed development. Viability of adjoining farms and farmland Existing poor infrastructure in and around Yarm. Lack of leisure facilities in and around Yarm - swimming, golf, sports etc. Existing development at Tall Trees resulting in around 500 extra vehicles. Existing planning application Allens West/MOD sit Eaglescliffe - possible 2000 extra cars accessing Yarm and A19 south. Lack of an independent traffic survey at Peak Times in and around Yarm. Impact and knock on effect on neighbouring communities. Disruption to local wild life corridors.

26. Campaign for the Protection of Rural England

Firstly I would remind you of our earlier comments made on the Core Strategy Review specifically relating to the use of greenfield land. We always would expect previously developed land to be used for any new development, and we consider there to be various brownfield sites within the district which should/ could be used first.

Secondly we consider this site to be 'beyond the existing limit to development' and as such should not be considered. We are aware that present central government relaxing of planning requirements offer opportunist developers a chance to submit ambitious new growth plans which would on first sight seem to offer many attractive additional benefits, indeed the public consultation for the proposal was extremely well thought through and various community benefits were mentioned to ensure the local community appreciated the offer- these would include direct cash to Stockton, retention of a building for community use and other amenities together with the additional community charge income it would generate for Stockton District.

Thirdly we are concerned at the scale of the new residential scheme, and would wonder where these 2800 new home purchasers will be found and how that would impact on existing vacancy levels within the district.

Fourthly there have been numerous issues with school provision in both Ingleby Barwick and

Egglescliffe, with many of the pupils going to attend Conyers School. The educational requirements for a development on this scale at the periphery of the town will be significant and cause major issues with traffic safety and flow and would have major implications for educational facilities locally.

Fifthly assuming the approved Tall Trees application goes ahead the knock-on effect on services, education and transport will be a very major issue. The two developments will have a dramatic effect on traffic congestion at rush hour, particularly at the petrol station roundabout at the top of Thirsk Road, where traffic is progressing along Leven Road to access Teesside Industrial Estate, the Parkway, Middlesbrough and A19 North or turning right for quick access past Kirklevington to the A19 South. Most notably it will impact and significantly worsen the serious traffic problems at Yarm.

From all these comments you will understand that CPRE does not support the application. From the numerous concerns we had had locally we believe many local residents are of the same opinion.

27. Health and Safety Executive

HSE is a statutory consultee for certain developments within the consultation distance (CD) of major hazard sites and major accident hazard pipelines. The proposed development at Morley Carr Farm lies within the CD of a major accident hazard pipeline operated by National Grid Gas plc, ref. 2110 – 6 Feeder Elton/NZ609021. The consultation distance and zones which apply to this pipeline, based on the notification under Pipeline Safety Regulations 1996, are:

Inner zone = 65 metres

Middle zone = 135 metres

Outer zone = 240 metres

Stockton-on-Tees Borough Council initially consulted HSE on this application through PADHI+, HSE's online software decision support tool. The response which was received, that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission was confirmed in HSE's letter of 8 May 2012.

On 31 May 2012, HSE was contacted by the applicant's agent, who advised that they had been in discussions with National Grid Gas plc about a scheme to upgrade a section of the pipeline to thick-walled pipe in the vicinity of the proposed development site. National Grid Gas plc subsequently provided HSE with details of the proposed modifications to be made to the pipeline between OS Grid refs 440917, 511191 and 441246, 510831.

HSE has carried out a reassessment of the risks from the pipeline based on those details. The resultant reduction in risks which would apply to the pipeline in the vicinity of the proposed development, should the thick-wall section be laid, are reflected in the consultation zones shown in the attached HSE Consultation Zone map (HSE HID CI5 Ref #2110 rev 1).

On the basis of this draft consultation zone map, HSE's advice against the granting of planning permission would change. However, until the thick-walled section of the pipeline is in place, HSE will continue to advise against the granting of planning permission in this case unless suitably worded conditions are attached to the permission which will limit the occupation of the proposed development site until the work on the pipeline has been completed. I attach three draft conditions for consideration; if the planning authority decide to grant planning permission in this case, HSE should be consulted on the final wording of these and any other relevant conditions before a decision is formally issued.

Should the planning authority be minded to grant permission without any conditions requiring appropriate improvements to the pipeline, then HSE should be given the opportunity to consider requesting that the Secretary of State call-in the application for his own determination, as detailed in HSE's letter of 8 May 2012.

28. Sabic UK Petrochemicals Ltd

Many thanks for your planning notification application / Linesearch enquiry LS-120504TI522GBG dated 4 May 2012. Please note that the proposed works do not affect SABIC ethylene pipeline apparatus and would fall within the outer zone for PADHI.

29. High and Low Worsall Parish Council

High and Low Worsall Parish Council wish to express concerns about this significant development between our villages and Yarm town centre.

The proposal from the developers is to build ca 350 dwellings on a green field site on the southern edge of Yarm bordering the B 1264 and the B 1265 (Allerton Balk). A planning application is being prepared following consultation by the developers with neighbourhood residents likely to be affected.

Planning permission has already been granted for a development on the nearby Tall Trees site for ca. 150 dwellings on the other side of the B 1264.

The concern of the Parish Council is that these developments, totalling some 500 dwellings, will place a significant additional burden on the road system between High and Low Worsall and Yarm; in Yarm itself and on other roads in the locality. There may well be repercussions for traffic flow affecting a wider area of Hambleton District. As yet we have no indication how the additional traffic will be managed.

Specifically, we are concerned about:

- 1 Long delays at the confluence of Worsall Road and The Spital (A67) at the entrance to Yarm
- 2 An increased demand for parking spaces in Yarm leading to more congestion.
- 3 Delays at the traffic lights at the narrow railway bridge on the B 1264
- 4 Delays at the B 1264 and A67 roundabout.

We write to ask if the issues raised here have been brought to your attention and, *if so*, what might be done to alleviate the potential problems?

PUBLICITY

30. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement which involved leaflet drops; site notices; a dedicated website and a public consultation event held at Conyers School, Green Lane, Yarm on 14th February 2012.

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

250 letters of objection from residents were received from the following addresses

10 Darcy Close, Yarm, 11 Atherton Way, Yarm, 26 Carew Close, Yarm, 93 The Larun Beat, Yarm, 15 Tindale Close, Yarm, 51 Forest Lane, Kirklevington, Oseghale, Green Lane, Yarm, 116 Cobb Close, Datchet, The Lodge, Kirklevington Grange, Yarm, 269a Bellenden Road, London, 42 Carew Close, Yarm, 35 Nursery Gardens, Yarm, 31 Carew Close, Yarm, 7 Staindale Close, Yarm, 6 Staindale Close, Yarm, The Cottage, Field House Farm, Worsall Road, Yarm, The Wheelhouse, Field House Farm, Worsall Road, Yarm, The Cedars, Worsall Road, Yarm, The Orchard, Worsall Road, Yarm, Grey Close, Worsall Road, Yarm, 14 Latimer Close, Yarm, 10 Latimer Close, Yarm, 60 Knaith Close, Yarm, 58 Knaith Close, Yarm, 54 Knaith Close, Yarm, 24 Merlay Close, Yarm, Follies Field, Worsall Road, Yarm, 104 Debruse Avenue, Yarm, 59 Debruse Avenue, Yarm, 45 Worsall Road, Yarm, Field House, Worsall Road, Yarm, 39 Knaith Close, Yarm, 37 Knaith Close, Yarm, 22 Merlay Close, Yarm, 9 Merlay Close, Yarm, Yarm Lea, Worsall Road, Kirklevington, Yarm, Far End Cottage, Worsall Road, Kirklevington, Yarm, 42 Carew Close, Yarm, 36 Carew Close, Yarm, 34 Carew Close, Yarm, 32 Carew Close, Yarm, 20 Carew Close, Yarm, 30 Carew Close, Yarm, 28 Carew Close, Yarm, 26 Carew Close, Yarm, 11 Atherton Way, Yarm, 9 Atherton

Way, Yarm, 7 Atherton Way, Yarm, 39 Carew Close, Yarm, 37 Carew Close, Yarm, 34 Carew Close, Yarm, 31 Carew Close, Yarm, 27 Carew Close, Yarm, 9 Troutsdale Close, Yarm, 37 Knaith Close, Yarm, 12 Atherton Way, Yarm, 1 Carew Close, Yarm, 17 Eskdale Close, Yarm, 32 Eskdale Close, Yarm, 9 Kingsdale Close, Yarm, 37 Griffiths Close, Yarm, 5 Knaith Close, Yarm, 3 Latimer Close, Yarm, 1 Latimer Close, Yarm, 16 Merlay Close, Yarm, 12 Merlay Close, Yarm, 10 Merlay Close, Yarm, 5 Merlay Close, Yarm, 3 Merlay Close, Yarm, 6 Ryedale Close, Yarm, 3 Troutsdale Close, Yarm, 14 Troutsdale Close, Yarm, 10 Battersby Close, Yarm, 22 Davenport Road, Yarm, 11 Eskdale Close, Yarm, 2 Latimer Close, Yarm, 22 Kingsdale Close, Yarm, 18 Merlay Close, Yarm, 8 Ryedale Close, Yarm, 3 Ryedale Close, Yarm, 2 Troutsdale Close, Yarm, 9 Troutsdale Close, Yarm, 5 Fairmead, Yarm, 1 Fairmead, Yarm, 26 Debruse Avenue, Yarm, 106 Debruse Avenue, Yarm, 96 Debruse Avenue, Yarm, 82 Debruse Avenue, Yarm, 34 Debruse Avenue, Yarm, 3 Sefton Way, Yarm, 1 Sefton Way, Yarm, Greenwells, Worsall Road, Yarm, Brecon Bar, Worsall Road, Yarm, 66 Debruse Avenue, Yarm, 14 Debruse Avenue, Yarm, 9 Sefton Way, Yarm, 17 Griffiths Close, Yarm, 9 Atherton Way, Yarm, 10 The Rigg, Yarm, 26 Carew Close, Yarm, Meadowdene, Green Lane, Yarm, 23 Angrove Close, Yarm, 3 Ryedale Close, Yarm, 15 Merryweather Court, Central Street, Yarm, 7 The Orchard, High Church Wynd, Yarm, Flat 8, Scholar's Court, West Street, Yarm, 10 Nursery Gardens, Yarm, 5 Stannage Grove, Thornaby, 70 High Stell, Middleton St George, Darlington, 7 Atherton Way, Yarm, 3 Friarswood Close, Yarm, 22 Nursery Gardens, Yarm, 59 Debruse Avenue, Yarm, 148 Davenport Road, Yarm, 35 Beckwith Road, Yarm, 29 Limpton Gate, Yarm, 14 Thornton Garth, Yarm, 71 The Larun Beat, Yarm, 2 Battersby Close, Yarm, 39 Wolveleigh Terrace, Gosforth, Newcastle, 48 Falcon Walk, Hilton, 85 Davenport Road, Yarm, 3 Sefton Way, Yarm, 9 Thornton Garth, Yarm, 32 Spitalfields, Yarm, 47 Worsall Road, Yarm, 51 Limpton Gate, Yarm, 16 Griffiths Close, Yarm, 14 Latimer Close, Yarm, Rosegate, The Spital, Yarm, 1 The Rigg, Yarm, 3 Nederdale Close, Yarm, 10 Nursery Gardens, Yarm, 35 Griffiths Close, Yarm, 21 Hird Road, Yarm, 44 The Larun Beat, Yarm, 24 Meadow Vale Close, Yarm, 2 Merlay Close, Yarm, 9 Tindale Close, Yarm, 24 Merlay Close, Yarm, 15 Mayes Walk, Yarm, 2 Merlay Close, Yarm, 48 Falcon Walk, Hilton, 6 Tindale Close, Yarm, 1 Latimer Close, Yarm, 40 Worsall Road, Yarm, 22 Merlay Close, Yarm, 35 St Nicholas Gardens, Yarm, 15 Dentdale Close, Yarm, 20 Merlay Close, Yarm, 22 Kingsdale Close, Yarm, 1 Nederdale Close, Yarm, 47 Knaith Close, Yarm, 8 Scugdale Close, Yarm, Ings Lane, Yarm, 106 Debruse Avenue, Yarm, 39 Knaith Close, Yarm, 26 Carew Close, Yarm, 9 Thornton Garth, Yarm, 38 Scugdale Close, Yarm, 8 Worsall Road, Yarm, 12 Talisman Close, Eaglescliffe, 28 Nederdale Close, Yarm, 29 Darlington Road, Stockton-on-Tees, 52 Chaldron Way, Eaglescliffe, 84 Mount Leven Road, Yarm, 45 Worsall Road, Yarm, 33 Davenport Road, Yarm, 23 Davenport Road, Yarm, 32 Carew Close, Yarm, 15 Dentdale Close Yarm, 12 Fairmead, Yarm, 42 Spitalfields, Yarm, 14 Worsall Road, Yarm, Suaimhneas, Glencarney Upper, Rockchapel, Mallow, County Cork, Republic Of Ireland, 7 Lorina Grove, Llandudno, 25 Davenport Road, Yarm, 27 Carew Close, Yarm, 28 Rockingham Court, Middlesbrough, 14 Upleatham Street, Saltburn, 15 Mayes Walk, Yarm, 14 Troutsdale Close, Yarm, 3 West End Gardens, Yarm, 16 Griffiths Close, Yarm, 30 Scugdale Close, Yarm, Hazelfield Cottage, Little Stainton, Stockton, 22 Worsall Road, Yarm, 39 Wolveleigh Terrace, Newcastle upon Tyne, 78 Wetherall Avenue, Yarm, 18 Carew Close, Yarm, 47 Knaith Close, Yarm, 41 Knaith Close, Yarm, 7 Latimer Close, Yarm, High and Low Worsall Parish Council, The Stables, Grey Close, Worsall Road, Yarm, Ash Tree Cottage, Worsall Road, Kirklevington, Yarm, 33 Carew Close, Yarm, 19 Eskdale Close, Yarm, 5 Ryedale Close, Yarm, 80 Debruse Avenue, Yarm, 50 Debruse Avenue, Yarm, 12 Beckwith Road, Yarm, 26 Easby Lane, Great Ayton, 34 The Royd, Yarm, 1 East View Terrace, Hartlepool, 1 Nursery Gardens, Yarm, 10 Ash Grove, Kirklevington, 29 Scugdale Close, Yarm, 38 Faucenberg Way, Yarm, 1 Nederdale Close, Yarm, 25 Howden Dike Yarm, 2 Latimer Close Yarm, 118 The Meadowings Yarm, 9 Kingsdale Close Yarm, 19 Stokesley Crescent Billingham, 8 The Rigg Yarm, Greenabella Bentley Wynd Yarm, 22 Mount Leven Road Yarm, 39 Goose Pasture Yarm, 17 Nederdale Close Yarm, 30 Mayfield Crescent Eaglescliffe, 37 Fountains Avenue Ingleby Barwick, 5 Stannage Grove Thornaby, 30 Lanehouse Road Thornaby, 67 Valley Drive Yarm, 32 Atherton Way Yarm, 6 Fairmead Yarm, 23 Mount Leven Road Yarm, 60 Mount Leven Road Yarm, 3 Low

Church Wynd Yarm, 4 The Green Kirklevington, 162 Davenport Road Yarm, 22 Howden Dike Yarm, 6 Grassholme Way Eaglescliffe, 73 The Larun Beat Yarm, 40 Norderdale Close Yarm, 8 Cennon Grove, Ingleby Barwick

32. The main concerns raised were:

Greenfield site

Impact on character of Yarm

Outside limits to development

Increased traffic congestion to unacceptable levels

Highway safety particularly for school children

Inadequate highway infrastructure

Increase in traffic will lead to gridlock

Traffic already queues several times a day to get into High Street from The Spital/Thirsk Road and Worsall Road, taking 20 minutes to get through

Significantly understated traffic effects in Transport Assessment

High Street parking already to capacity

Loss of small town character

Insufficient capacity at schools, health services and other facilities

Affect special landscape area/area of high landscape value

Traffic survey carried out on Saturday afternoon not peak times during week

Allerton Balk and Worsall Road already used by cars to avoid traffic jams on The Spital and Thirsk Road

Enough housing already

Potential for disaster due to close proximity of high pressure gas pipeline

No plan in place to ease existing congestion through High Street

Increase in air pollution

Set precedent for more housing development in Yarm

No leisure facilities in area, unlike other areas in borough

Development at Tall Trees and Allens West already approved leading to increase in traffic

Devaluation of property price

Area has high water table and suffers from flooding which will only get worse with this development and Tall Trees.

Existing inadequate drainage system leading to flooding

Impact of increased drainage on Yarm's flood defences

Present fire cover arrangement not sufficient for increase in population

Increased noise pollution

Loss of open space

Overload existing infrastructure

Parking problems at Yarm railway station

Loss of farmland/countryside

Impact on listed building – Field House

Loss of privacy to neighbouring properties

Overdevelopment

Increase in traffic congestion have negative impact on local shops and businesses

Important greenbelt separating Yarm from neighbouring villages

Existing problems with frequent power cuts/surges due to present overloaded system and low water pressure

Loss of ancient hedgerows

Destruction of wildlife habitats

Misrepresentation of Council's strategic plan

Increase in anti-social behaviour

Sufficient brown field land elsewhere in borough

Premature before Council has decided on possible future housing sites

Bend where Allerton Balk meets Worsall Road known accident black spot

Bats on site
Turning Yarm into a Ingleby Barwick housing estate
Back land development
Devaluation of property
Development not suitable for area
Effecting drains
Health concerns
Loss of open space
Means of access
Over development of site
Scale/size of development
Set precedent
Smell/fumes

33. One letter of support from resident was received from:

2 Eskdale Close, Yarm

34. Comments from Morley Carr Farm Action Group (MCFAG) are attached as appendix 3 and have been reproduced in full as the content cannot be adequately summarised to reflect the content. Also attached as appendix 4 are the applicant's responses to the MCFAG comments. Spatial Planning comments in respect of the 5 year housing supply are also attached as appendix 5.

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

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:-

National Planning Policy Framework

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.

Saved Policy EN13

Development outside the limits to development may be permitted where:

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

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

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

Saved Policy EN20

The conversion, adaptation and re-use of rural buildings for commercial, industrial, tourism, sport and recreational uses will be permitted providing that:

- (i) The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding; and
- (ii) Any alterations or extensions are limited in scale, and do not adversely affect the form and character of the existing building, and
- (iii) There is no adverse effect on the character of the area; and
- (iv) Where the building has been constructed under permitted development rights, it has been legitimately used for agricultural purposes; and
- (v) Access, manoeuvring space and parking provision for the new use can be accommodated without being intrusive; and
- (vi) There is no adverse effect on any safe refuge of protected species such as bats or barn owls.

Saved Policy EN28

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

Saved 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.

Saved Policy EN38

Residential development or development which attracts significant numbers of people, particularly the less mobile, will be permitted in the vicinity of a hazardous installation only where there is no significant threat to the safety of the people involved.

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.

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 Local Planning Authority's approach towards securing planning obligations associated with development within the Borough.

MATERIAL PLANNING CONSIDERATIONS

38. The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area, the impact on the privacy and amenity

of neighbouring residents and highway safety, health and safety requirements, flood risk, ecology and nature conservation and other material planning considerations.

39. The application site is an unallocated site in the adopted local plan and is located outside the limits of development. Saved Policy EN13 seeks to strictly control development within the countryside beyond these limits and restricted to limited activities necessary for the continuation of farming and forestry contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. The proposed residential development does not fall within these categories and a judgement is required whether considerations in support of the proposed housing are sufficient to outweigh rural restraint policies.

40. The applicant has put forward the case that the application has been submitted as a direct response to the shortfall of deliverable housing land in the Borough at the present time and contends that the Development Plan's housing policies, by virtue of the lack of a five year deliverable housing land supply (under any circumstances), are out of date. In addition the Local Planning Authority has already accepted that the Core Strategy is not fit for purpose and in circumstances where a Development Plan is out of date, the NPPF's presumption in favour of sustainable development is clear that planning permission should be granted unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole: or Specific policies in this Framework indicate development should be restricted.'

41. The applicant goes on to state that a thorough assessment of the impacts of the development has been undertaken which have concluded they are acceptable and will therefore not result in adverse impacts which would outweigh the benefits of the grant of planning permission. Moreover, the NPPF policies do not suggest that development should be restricted at Morley Carr Farm. This is only one of a number of housing sites that will need to come forward in the short term to meet the identified housing needs and address the current shortfall in the supply of housing land across the Borough. The granting of permission for this development, in advance of the consideration of sites to address housing requirements later in the plan period, will not be prejudicial or premature.

42. The applicant concludes that in this instance there are strong and material considerations, in particular the clear requirements set out in the NPPF in respect of housing delivery that justifies planning permission. Furthermore there are significant benefits to the Borough in the provision of affordable housing which will help meet the pressing requirement; provide contributions towards infrastructure improvements; a significant New Homes Bonus payment; increased local commercial expenditure with the increase in population; community facilities and local employment opportunities and planning permission should therefore be granted for the development proposals at the earliest opportunity.

43. In response, a significant material consideration is the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF maintains the requirement for local planning authorities to demonstrate a 5-year supply of deliverable housing land. The Local Planning Authority has produced a report entitled '5 Year Deliverable Housing Supply Final Assessment: 2012 – 2017' and the report concludes that the Borough has a supply of deliverable housing land of 4.08 years. The Local Planning Authority is not therefore able to demonstrate a 5-year supply of deliverable housing land.

44. Furthermore, Members will be aware that the Stockton-on Tees Core Strategy was adopted in March 2010, however it is now considered that the housing strategy in the adopted Core Strategy will not deliver enough housing sites to deliver the number of homes needed to be built in the Borough by 2028. For this reason the Local Planning Authority decided to undertake a review of housing options and assessed a wide range of sites around the periphery of the urban area. The application site was identified in the Core Strategy Review of Housing - Issues and Options

document which was the subject of public consultation held over a 12 week period in summer 2011.

45. The five year supply of deliverable and available housing land is a fundamental requirement of the planning system with the NPPF requiring local planning authorities to 'boost significantly the supply of housing' through a number of means.

46. The NPPF states: 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.' As acknowledged previously the Local Planning Authority is not able to demonstrate a 5-year supply of deliverable housing land to which significant weight should be given.

47. The Council is committed to addressing housing delivery through a plan-led approach. The Regeneration and Environment DPD Preferred Options document as mentioned previously, has been approved by Cabinet and Full Council and is the subject of public consultation and the Regeneration and Environment DPD will incorporate the results of the Core Strategy Review of housing options. The DPD will allocate sufficient deliverable and developable housing sites to ensure that the housing requirement to 2029 is met and that a rolling 5-year supply of deliverable housing sites plus a 5% buffer is achieved which reflects the Local Planning Authority's past performance in terms of delivery.

48. NPPF states 'Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise'. It is clearly highly relevant to this application that the Local Planning Authority is unable to demonstrate a 5-year supply of deliverable housing land. The new Government advice contained in the NPPF makes it clear that the lack of a 5 year supply of deliverable housing means that the Local Planning Authority's relevant housing policies cannot be considered as up to date and the application must be considered strictly in relation to the guidance in the NPPF. The Government position is very clear in that in recent decisions by the Secretary of State while he acknowledged that it was important for Councils to be able to identify the needs and requirements in their area, this is not the same as allowing them to postpone their obligation to identify and maintain a five year supply of developable sites. The decisions show that the balance between the plan and delivery has been recalibrated to ensure delivery by granting planning permission where there is a lack of a 5 year supply of deliverable housing

49. The site is identified as a preferred option for housing allocation in the Regeneration and Environment DPD; the Local Planning Authority attaches great weight to ensuring that the process of site allocation is an open, transparent and participatory one which allows full opportunity for comment to the wider public and other stakeholders. The preferred options stage cannot therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy. It is clearly fundamental to the legitimacy of Core Strategy Review process that there is consistency in the decision-making process in relation to all potential housing sites. However the new planning system established by the present Government places the provision and delivery of housing as one of its key roles by contributing to building a strong economy by ensuring that sufficient land of the right type is available in the right places and at the right time.

50. In terms of the core planning principles in the NPPF that underpin both local plan making and decision making, the government has emphasised that every effort should be made objectively to identify and then meet the housing needs of an area and respond positively to the wider opportunities for growth. Consequently the Government only provided a 12 month window for the full weight for policies in post 2004 DPDs to be applied even if there was only a limited degree of

conflict with the Framework. In Stockton's case the estimated adoption of the Core Strategy review is likely to be the beginning of 2014 which is clearly outside the Government's timescale. As much as the Local Planning Authority would wish to progress the consideration of the acceptability of the application site through the plan making process, the application must be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development

51. It is therefore considered that on balance the fact that the Local Planning Authority is not currently able to demonstrate a 5-year supply of deliverable housing land is not offset by the Local Planning Authority's absolutely clear and firm commitment to addressing housing delivery through a plan-led approach. The housing policies that are not up-to-date are being updated through this process and this is being progressed as quickly as possible, consistent with NPPF

52. Having carefully weighed all the above considerations in the planning balance, it is considered that the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which seeks to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities.

53. It is considered that the application site is a sustainable development and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight is required to be placed on the need to support economic growth through the planning system. As the Local Planning Authority's policies for the supply of housing cannot be considered as up-to-date, it cannot be demonstrated that there is a five-year supply of deliverable housing sites. It is considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It is considered that approval of this application is not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be reasonably withheld.

54. 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 proposals will result in 20% affordable housing and will therefore bring about significant socio-economic benefits.

55. Core Strategy Policy CS6 seeks to protect and enhance open space, sport and recreation facilities in the Borough. 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. The proposed development, in addition to providing on site recreational facilities for equipped natural play and 'kick about' areas, the development will involve the re use and extension of the existing farmhouse to create a Community Hall/Centre and the provision of a Bowling Green. In addition, a sizeable area of land within the site is to be reserved for community use.

56. 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. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required and have agreed to contributions to fund off-site highway works and provide additional infrastructure to support sustainable links from the development to local facilities. Furthermore the applicant will agree to a Local Labour Agreement and a legal agreement to provide a mechanism for the future use, management and maintenance of the on-site community land and facilities.

Landscape and Visual Impact

57. In terms of locational policy, limits to development have been identified around the main urban core and the villages. Where possible, limits have been drawn where there is a clear break between urban and rural uses and landscapes. Core Strategy Policy CS10.3 seeks to maintain the separation between settlements, along with the quality of the urban environment through the protection and enhancement of the openness of strategic gaps, between the conurbation and the surrounding towns and villages of the Borough.

58. The planning application is accompanied by a Design and Access Statement which includes a landscape appraisal and a design strategy to mitigate, where necessary any impacts.

59. The Council's Landscape Architect has assessed the proposal and concludes that the Indicative Masterplan allows for a generous provision of open space along side the main housing areas including 1.74 hectares of land in the south western corner of the site for community use such as allotments or a cemetery.

60. The application site contains a service easement in the form of a high pressure gas main on the western edge of the site. The indicative layout makes use of this easement by creating a wide green corridor running north south across the site that links to the more formal open spaces (the play area and bowling green) and possible land for community use at its southern end. This large open space is connected to other green spaces in the development such as the 'The Green', in the north west corner of the development and the Suds ponds via a network of footpaths set within narrow green corridors planted with tree shrubs and hedges with connection also afforded into the wider countryside from these paths. To reduce the visual impact of the development a green edge retaining the existing hedges together with footpaths and new tree planting has been provided around all edges of the site.

61. Whilst the development is outside of the limits to development for Yarm and within the Strategic Gap, it is considered that the landscape mitigation offered would integrate the scheme into the local landscape and the proposed development would not have a significant impact on the landscape character of the area. Views of the development from the wider area are filtered by the undulating topography and the intervening buildings and trees and hedgerows.

The Impact upon the Privacy and Amenity of Neighbouring Residents.

62. The location of the development is sufficiently separated from existing dwellings and it is considered that the proposed dwellings would be sufficiently far apart to meet any visual privacy requirements and the site has a sufficient area to meet the amenity of the occupants and it is not considered that the application will have any significant impact upon the privacy and amenity of neighbouring residents.

63. The layout incorporates increased perimeter landscaping buffers and 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. There are no designated heritage assets on the site, Field House Farm a Grade II Listed Building is situated to the north east and it is considered that the proposed housing is set back from the existing footpath and with the proposed additional structural planting it is considered that the proposed development will not adversely affect the setting of the Listed Building. The existing Farmhouse is not nationally listed or upon any local list. However, the development proposals demonstrate its retention and change of use/conversion to a community facility as part of the development proposals.

64. A Design and Access statement accompanies the application, which provides some design principles and information on the proposed nature, form, scale and appearance of the development

as a whole. A condition is imposed requiring the development to be carried out in broad accordance with this document to ensure that the dwellings, both individually and collectively, are in keeping with the location.

Ecology and Nature Conservation

65. The application is accompanied by a Phase 1 Habitat survey which confirms that the site supports a limited number of habitats whilst being of moderate ecological value due to the presence of mature hedgerows, scattered trees and buildings. The site is not subject to any local, regional or national ecological designations and subject to appropriate mitigation (in accordance with the recommendations of the Ecological Report) the development will not result in an adverse impact upon the ecological value of the site.

66. □ Appropriate mitigation measures are proposed and 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 Issues

67. In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies the site falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. The Environment Agency has no objection to the proposal subject to appropriate controlling conditions.

68. A high pressure gas main crosses the application site. Under Article 10 of the Town and Country Planning (General Development procedure) Order 1995, as amended, decision makers are required to consult the Health and Safety Executive (HSE) on certain planning proposals around major hazards and to take into account the Executive's representations when determining associated applications. This is to ensure that the UK complies with Article 12 of the Seveso II Directive which has the specific objective of controlling certain new development around major hazards when the development is such as to increase the risk or consequences of a major incident.

69. The HSE has been in discussions with the applicant about the development proposal and a detailed protection scheme has been prepared to ensure the proposals are acceptable from a health and safety perspective. Discussions have been undertaken with National Grid Gas plc in respect of the precise protection scheme. A suitably worded condition is recommended and it is considered that the proposal is acceptable and in accordance with Policy EN 38.

70. The proposal does not conflict with Planning Guidance in respect of contaminated land.

71. In terms of noise and air quality impact the Environmental Health Manager has considered the proposal and raises no objection on these matters.

72. In respect of archaeology a Geophysical Survey has been undertaken across the whole site. Two locations of potential archaeological interest (North East and South East corner) were identified. Thereafter targeted Trial Trenching was undertaken in these locations. It was established that the one of the areas (South East) was recently made ground with the results of the other area indicating the presence of a small prehistoric settlement due to the presence of a possible roundhouse and a number of settlement type features.

73. Tees Archaeology has considered the application and recommends that archaeological monitoring takes place on the potentially sensitive archaeological areas of the development and physical preservation of the Iron Age settlement and this is secured by planning conditions.

74 . In terms of Policy CS3 and the reference to integrating of climate change mitigation and adaptation into housing design, the submission proposes that all properties meet Code 4 of the Code for Sustainable Homes and in order to fully reflect the objectives of Core Strategy Policy 3 (CS3), the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. This is secured by planning conditions.

75. NPPF (Para 112 states that 'Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality'.

76. The NPPF defines the best and most versatile agricultural land as being Grades 1, 2 and 3a. The current site is in agricultural use on land which is classified as grade 3. Whilst the proposed development would result in the loss of agricultural land from production the loss is not considered to be significant enough to warrant refusal on this ground alone.

Means of Access, Parking and Traffic Issues

77. The application is accompanied by a Transport Assessment in order to satisfy the Local Planning Authority 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.

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

79. The development is acceptable in highway terms as junction assessments have been undertaken that indicate sufficient capacity is available within the local highway network.

80. Highway mitigation however is proposed in order that the footway links and cycle facilities in the vicinity are improved. These improvements which are summarised below are to be secured by the following S106 contributions:

For improvements to the existing footway on the eastern side of Allerton Balk will be extended southwards to Green Lane, dropped crossings will be provided at this junction;

For the provision of a footway/cycleway between the site and Yarm railway station;

For the provision a footway from the site towards the High Street along Worsall Road;

To provide a footway/cycleway on Everingham Road.

In order to facilitate access it is proposed to provide:

3 priority junctions;

Roundabout access;

Reduction in speed limit on surrounding highway;

A speed reducing feature of a traffic island is proposed on Green Lane;

Additional pedestrian refuges on Allerton Balk.

Highway mitigation is also proposed:

To increase the entry lanes at Green Lane/A67 Thirsk Road roundabout (Crossroads roundabout);

To provide additional car parking in the vicinity of Yarm town centre.

81. The Transport Assessment and Framework Travel Plan have demonstrated that sufficient highway improvements and sustainable transport enhancements are proposed to mitigate against the impact of the development. The Head of Technical Services has considered the proposal and raises no objection on highway grounds to the proposed development subject to controlling conditions. The Highways Agency has also considered the scheme and raises no objection.

CONCLUSION

82. The development is an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise having

regard to the development plan. However the guidance in the NPPF makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot demonstrate a five year supply of deliverable housing sites. Also housing applications are to be considered in the context of the presumption in favour of sustainable development. It is considered that there are important material benefits arising from the proposed development and there are not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.

83. Other material considerations have been considered in detail and the development as proposed is considered to be acceptable in terms of highway safety, it does not adversely impact on neighbouring properties or the ecological habitat and flooding and complies with Health and Safety Executive requirements.

84. It is considered that in the planning balance, the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which seeks to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities and therefore pre-empt the proper operation of the Development Plan process.

85. As much as the Local Planning Authority would wish to progress the consideration of the acceptability of the application site through the plan making process, the application must be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development and delivery and therefore the application is accordingly recommended for approval.

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

WARD AND WARD COUNCILLORS

Ward Yarm
Ward Councillor Councillor A B L Sherris

Ward Yarm
Ward Councillor Councillor Mark Chatburn

Ward Yarm
Ward Councillor Councillor Ben Houchen

IMPLICATIONS

Financial Implications:
As Report

Environmental Implications:
As Report

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

Community Safety Implications:

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

Background Papers

The Town and Country Planning Act 1990.

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