

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

12 DECEMBER 2012

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

12/1546/OUT

Mount Leven Farm, Leven Bank Road, Yarm

Outline planning consent with all matters reserved except for means of access, for development of a retirement village including related leisure and social facilities and infrastructure.

Expiry Date: 20 December 2012

SUMMARY

Outline planning consent is sought for a retirement village that would consist of 350 retirement dwellings and a 100 bedroom care home. The application seeks to establish only the principle of the development and the means of access into the site, all other matters are therefore reserved for a future submission.

The application site forms part of the Mount Leven Farm site, which encompasses a group of former farm buildings and a series of agricultural fields. The existing group of buildings sit on the plateau close to the valley edge and is probably most visible from Leven Bank Road. The site itself is fairly level with only small fluctuation across the site as a whole, before sloping down (from south to north) as the land meets with the River Tees or steeply rising to the east as it meets the Leven Valley. To the west of the site lies a variety of residential properties which form the edge of the more modern and suburban properties of Yarm. To the south of the site also lie a small group of residential properties.

In the early 1990's two outline planning applications were submitted for a residential development. The first application sought permission for residential development alongside a new roundabout (ref; 90/1690/P), while the second sought outline permission for residential development alongside leisure/recreational uses (ref: 91/0585/P). These applications were refused on the basis that the additional access would have created an undue hazard and also that the Cleveland Structure Plan identified the area as a substantial landscape area which had also been identified as a green wedge between Yarm and Ingleby Barwick. In dismissing the appeal the inspector had taken the view that the different characters of Yarm and Ingleby Barwick required adequate separation to prevent their visual coalescence, although it was considered that a new junction of an appropriate design could be accommodated to serve the development.

Whilst it is recognised that there are some benefits to the proposed development in terms of boosting the supply of housing, addressing some needs of the Tees Valley's growing older population, the wider public benefits resulting primarily from increased public access along the Leven Valley and the economic benefits the scheme would bring to the area in terms of investment and job creation. However, in weighting up these policy constraints and merits of the proposed development would offer, it is not considered these would be sufficient enough to outweigh these conflicts with the adopted development plan policies. Furthermore insufficient information has been

provided to satisfactorily demonstrate that there would be no significant harm to protected species or highway safety and these form additional reasons for refusal at this stage.

RECOMMENDATION

That planning application 12/1546/OUT be refused for the following reasons;

Green Wedge/landscape character:

01. The proposed development represents an unjustified incursion into the Leven Valley green wedge and by virtue of its scale and nature would have an unacceptable detrimental impact on the open character and visual amenity of the area and thereby harm the separation that exists between the settlements of Ingleby Barwick and Yarm, contrary to saved policies EN7 and H03 of the Local Plan and policies CS3(8) and CS10(3) of the Core Strategy.

Protected species:

02. The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on those habitats and species protected by law or that the impact could be satisfactorily mitigated to the satisfaction of the Local Planning Authority and is therefore contrary to guidance within Core Strategy Policy CS10(2) and paragraph 118 the National Planning Policy Framework (NPPF).

Highway Safety:

03. The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on highway safety and the free flow of traffic to both the Local and Strategic Highway Networks or that the impact could be satisfactorily mitigated to the satisfaction of the Local Planning Authority and is therefore contrary to guidance within policy CS2 of the Core Strategy (1&2) and paragraph 32 of the National Planning Policy Framework (NPPF).

BACKGROUND

1. In the early 1990's two outline planning applications were submitted for a residential development. The first application sought permission for residential development alongside a new roundabout (ref; 90/1690/P) This application was refused on the basis that the additional access would have created an undue hazard to other road users and that the Cleveland Structure Plan identified the area as a substantial landscape area which has also been identified as a green wedge between Yarm and Ingleby Barwick.
2. A later application again sought outline permission for residential development although this time alongside a leisure/recreational development which included a 9 hole golf course (ref; 91/0585/P). An Appeal against the decision of the first application and on the grounds of non-determination of the second application was lodged. In the intervening period the Council had resolved that they were minded to refuse the second application on the same grounds of the first (I.e. highway safety and landscape/green wedge) and upon the opening of the public inquiry the appeal against the first application (ref; 90/1690/P) was withdrawn.
3. In dismissing the appeal the inspector had taken the view that the different characters of Yarm and Ingleby Barwick required adequate separation to prevent their visual coalescence, furthermore the view was given that the wooded slopes of the River Leven valley would not achieve the degree of separation required. It was however, considered that a new junction of an appropriate design could be accommodated to serve the development.

4. More recent development proposals are related to smaller scale extensions and alterations to existing buildings in and around the complex of former farm buildings (App ref; 99/1919/P, 00/0819/P, 00/1716/P, 01/1077/P, 01/1078/P, 06/0751/FUL & 07/3035/FUL).

SITE AND SURROUNDINGS

5. The application site forms part of the Mount Leven Farm site, which encompasses a group of former farm buildings and series of agricultural fields. The existing group of buildings sit on the plateau close to the valley edge and is probably most visible from Leven Bank Road. This group of buildings is shown as being retained on the submitted drawings. The site itself is fairly level with only small fluctuation across the site as a whole, before sloping down (from south to north) as the land meets with the River Tees. Opposite the site at the junction of the river Tees and River Leven lies the Round Hill scheduled ancient monument
6. To the east of the site lies the River Leven valley that rises steeply to either side, until it gradually begins to lower as it meets with the River Tees at the northern edge of the site. The river and its valley bound the site to the east and north and creates a 'pinch point' within the centre of the site. The residential properties of Ingleby Barwick lie beyond to the east and in some instances are extremely close to the valley ridge, adding to their prominence.
7. The north/north-west of the site and the surroundings are dominated by a series of open agricultural fields on either side of the rivers, these areas create and form the green wedges that surround and separate the western boundary of Ingleby Barwick, the northern boundary of Yarm and eastern edges of Egglecliffe village and Egglecliffe. To the west of the site lies a variety of residential properties which form the edge of the more modern and suburban properties of Yarm, these dwellings range in size and design and as a result have no particular architectural character or style. To the south of the site lie additional fields with a small group of residential properties. A variety of mature trees lie within this area and bound Leven Bank Road.

PROPOSAL

8. Outline planning consent is sought for a retirement village that would consist of 350 retirement dwellings and a 100 bedroom care home. The application also details associated infrastructure and leisure/community facilities for the use of residents such as swimming pool, bowling green, restaurant/cafeteria and convenience store. The application seeks to establish only the principle of the development and the means of access into the site. All other matters are therefore reserved for a future submission and would be subject to separate consideration should outline permission be granted.
9. Indicative drawings are provided to demonstrate the layout of the site. These have since been revised and supplemented to take into account the archaeological features that exist on the site and to clearly demonstrate the extent of the proposed landscaping.
10. As part of the proposed development the applicant has also offered through a draft Heads of terms provision of land for a country park and a local labour agreement, During the course of the application the application has also confirmed they are willing to provide 20% affordable housing as well as a foot bridge to Ingleby Barwick

CONSULTATIONS

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

Tees Archaeology

Thank you for your phone call regarding the above planning application.

I can confirm that I agreed a scheme for archaeological trial trenching (attached) to evaluate a number of archaeological features visible on a geomagnetic survey. I monitored the work on behalf of the local authority and the following comments are based on my observations during my visit to the site. I understand that a formal report on the results of the trenching should be ready at the beginning of next week.

In summary, archaeological features were noted in two areas (see map at end of attachment). To the north-west of Mount Leven Farm a pair of Iron Age enclosures (c.400 BC-50 BC), containing several round houses were identified. Well preserved deposits were noted including organic material (i.e. animal bone). A second concentration of archaeological features was identified to the south of the farm. I understand that these produced some Romano-British pottery (50 BC-400 AD) but they had not been fully investigated at the time of my visit.

Once the report on the trial trenching is received the applicant will have provided sufficient information to understand the significance of heritage of assets of archaeological interest (NPPF Para. 128), i.e. the Iron Age and Romano-British sites.

My provisional comments are that the archaeological sites are likely to be of regional importance and that they could either be designed out of the development to avoid impact (NPPF Para. 132) or archaeologically excavated in advance of development (NPPF Para. 141) to advance our understanding before they are destroyed. A combination of both approaches could be taken. The first option might have an impact on the yield of the development and the second would carry a cost implication to the developer which might be significant.

The options to physically preserve or record could be made a condition of any planning consent.

Northern Gas Networks

No objections

Spatial Plans Manager (Summarised)

The supply of deliverable housing land

The Council has produced a report entitled '5 Year Deliverable Housing Supply Final Assessment: 2012 2017'. 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.

The National Planning Policy Framework (NPPF)

The NPPF states (paragraph 14) that at the heart of the NPPF is the presumption in favour of sustainable development which 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.'

The Council cannot demonstrate a 5 year supply of housing land. The policies in the development plan that deal with housing supply are therefore to be considered out of date and

the proposal must be assessed in relation to the presumption in favour of sustainable development and the tests set out in NPPF paragraph 14, namely that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole or that specific policies in the NPPF indicate it should be refused. Other policies in the development plan that are relevant to the application remain up-to-date and are referenced in these comments.

Achieving sustainable development and core planning principles

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

The NPPF states that a set of core land-use planning principles should underpin both plan-making and decision-making. Included in these principles are that planning should 'take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'. For the reasons set out in the environmental protection and enhancement section of these comments I consider that the application conflicts with taking account of the role and character of the area and with the environmental dimension of sustainable development.

Also included in the core land use principles is 'Every effort should be made objectively to identify and then meet the housing, business and development needs of an area, and respond positively to wider opportunities for growth'. The proposal would assist in addressing the identified need for housing and thus fulfil both a social and an economic role. However, for the reasons set out in the sustainable tourism and town centres sections of these comments I consider that there are also significant economic costs associated with the proposal and for the reasons set out in paragraph 30 of these comments I consider that there are also significant social costs associated with the proposal.

Relationship to the adopted Development Plan

The development plan currently comprises the North East Regional Spatial Strategy, the Stockton-on-Tees Core Strategy LDD (March 2010), the saved policies of the Stockton-on-Tees Local Plan 1997, and the Tees Valley Joint Minerals and Waste LDD (September 2011). It should be noted that the Government intends to abolish regional spatial strategies but pending the enactment of a revocation order the Regional Spatial Strategy remains part of the development plan. Sustainable transport and travel

The proposal will need to be assessed in relation to Core Strategy Policy 2 (CS2) Sustainable Transport and Travel.

Community facilities

Point 1 of Core Strategy Policy 6 (CS6) - Community Facilities, states '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'. The proposal includes a number of community facilities. However, I do not consider that the Leven Valley is a suitable location for the provision of such facilities. The relationship of the Leven Valley to the neighbouring communities is that of providing visual relief, separation and an environmental resource.

Open space provision

Point 3 of Policy CS6 states: '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 'The Open Space, Recreation and Landscaping SPD includes quantity standards which identify the level of demand caused by new development. Combined with this are minimum acceptable size thresholds which identify when a development becomes large enough to require the provision of on-site open space. Based on the figures within the Design and Access it is anticipated that 1.1 ha of amenity green space and 0.65 ha of allotments would be required onsite.

The concept plan submitted as part of the proposal includes open space in the form of village greens and green corridors linking spaces within the development, leisure facilities (including a gymnasium, swimming pool, tennis court, bowling green and village hall) and the transfer of land within the River Leven Valley to the Council for use as a Country Park. Generally the proposal provides open space, sport and recreation beyond that required by the Open Space, Recreation and Landscaping SPD. However, consideration could be made to provide an element of allotment space in line with identified standards.

Housing mix and affordable housing provision

Following confirm that the applicant will provide 20% affordable housing this aspect of planning policy has been met.

Environmental Protection and Enhancement

The site forms part of Tees Heritage Park. The supporting text for Objective 6 states that Tees Heritage Park will 'provide a high quality setting for recreation in the rural section of the river corridor, with Preston Park and its Hall developing into a regional attraction'. I regard the scale of the proposed development is such as to be incompatible with the vision for Tees Heritage Park and therefore, the vision for the Borough.

Objective 8 of the adopted Core Strategy is 'To protect and enhance the Borough's natural environment and to promote the creation, extension and better management of green infrastructure and biodiversity, taking advantage of the Borough's special qualities and location at the mouth of the River Tees.' Including in the associated explanatory text is 'The strategic gaps and green wedges that prevent the coalescence of built-up areas will be retained as important components, forming part of wildlife corridors and these will be improved and managed to strengthen their value.' The scale of development proposed is in conflict with Objective 8 as it will significantly erode the green wedge that prevents the coalescence of Yarm and Ingleby Barwick.

Adopted 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 Green Wedges within the conurbation including Leven Valley between Yarm and Ingleby Barwick'. The proposal is contrary to Point 3i) of Policy CS10. Green Wedge is a local designation. It is therefore, not specifically referenced in the NPPF. However, it is a local designation to which the Council attaches great importance. Its importance is highlighted by the fact that the Council's Preferred Options draft housing allocations do not include any land currently designated as Green Wedge.

The function of the Green Wedges is to prevent the coalescence of communities within the built up area (thus maintaining their individual identities). The Green Wedge in the Leven Valley clearly has a critical role in this respect. A high quality built environment requires the maintenance of a balance between built up areas and green wedges providing visual relief (social role) and the natural environment should be protected and enhanced (environmental role). I consider that the proposed development would therefore, have a major adverse impact and therefore, be in conflict with the social and environmental roles of sustainable development as set out in the NPPF.

The quality of the agricultural land

Paragraph 112 of the NPPF states '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 a higher quality.'

Best and most versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification. It needs to be taken into account alongside other sustainability considerations when assessing planning applications. Local site specific surveys were undertaken in 1988 and 1999. The majority of the application site is shown classified as grade 2 or grade 3a.

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 not regarded by officers as suitable for housing. For this reason, the site is not identified in the Core Strategy Review of Housing - Issues and Options document and has not been subsequently identified as a draft allocation. No representation regarding the site has ever been received in relation to the strategic housing land availability assessment or directly through the local plan process. The Council has now published for consultation the Regeneration and Environment LDD Preferred Options draft. This sets out the preferred options for delivering the housing requirement to 2029.

The 1st bullet point associated with paragraph 17 of the NPPF, setting our core planning principles, states that planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the area'. The possibility of the development of this site for a retirement village has not in any way been highlighted through the local plan process. Its development would therefore, be clearly fundamentally in conflict with this core planning principle of the NPPF.

Relationship to the process of reviewing the limits to development

Draft Preferred Options Limits to Development

Strategic Policy 4 (SP 4) - Green Wedge, in the Regeneration and Environment DPD Preferred Options draft, states the categories of development which the Council will support on land designated as Green Wedge. The proposal does not fall into any of the categories. It is therefore, contrary to draft Policy SP 4.

39. A number of representations were received to modify the boundaries of green wedge designations and these have been addressed in the 'Review of Limits to Development and Green Wedges' (May 2010) which forms part of the evidence base to the Regeneration and Environment DPD Preferred Options draft. The review did not recommend any alteration to the boundary of the green wedge in the Leven Valley.

Housing Need and Demand

One of the NPPF core planning principles includes making every effort to 'identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.' The 1st bullet point of NPPF paragraph 47 states that to boost significantly the supply of housing local plans should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period'. As previously referenced the Council is not currently able to demonstrate a five year supply of deliverable housing sites and the TVSHMA identifies an annual deficit in the provision of affordable housing of 560 homes. It is a benefit of this application that it would contribute to the provision of market and affordable housing. This is not withstanding the Council's preference for addressing these issues through a plan-led approach.

The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) states 'A major challenge for the Tees Valley Councils is to ensure a range of appropriate housing provision, adaption and support for the Tees Valley's growing older population' (paragraph 4.121). This in the context of a projected 52% increase in the number of people across the study area from 94,000 in 2010 to 144,000 by 2033. The study also highlights a shortfall of bungalows across most of the district of Stockton-on-Tees. The proposal clearly has the potential to assist in meeting the housing needs arising from demographic changes. This is a significant benefit that would accrue from the development.

Summarising comments

It is clearly a benefit of the proposal that it would boost significantly the supply of housing and assist in addressing the needs of the Tees Valley's growing older population. However, it is important to balance this benefit against the other considerations referenced in these comments to consider whether the proposal represents sustainable development.

The Environment Agency (Summarised)

We have received further information relating to flood risk and disposal of foul sewage from Colin Cook of JNP Group, acting on behalf of the developer. Having considered the submitted information we have the following comments to make:

Upon clarification of points within the FRA, we now wish to **withdraw** our previous objection relating to flood risk but would like to provide the following information:

Environment Agency Position – Flood Risk

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment by JNP Group submitted with this application, are implemented and secured by way of a planning condition on any planning permission.

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by JNP Group and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the site to the equivalent greenfield run off rates. Rates should be designed to the impermeable areas proposed and not to the area of the site.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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

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

Natural England (summarised)

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.

We note that this proposal is EIA development, however it does not appear to significantly affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils.

Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement, Natural England would encourage the incorporation of GI into this development. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

Protected Species (Bats)

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. Box (x) advises the authority that further survey effort is required in accordance with Bat Surveys - good practice guidelines and you should request additional information from the applicant. If it is not provided, then the application should be refused.

Local wildlife sites

If the proposal site could result in an impact on a Local Site 2, Local Nature Reserve (LNR) or priority habitat the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application, ensuring that it does so in conformity with the wording of paragraph 168 of the National Planning Policy Framework. For further information on Local Sites, your authority should seek views from your ecologist, or the Local Sites designation body in your area.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions,*

to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Northumbrian Water Limited (summarised)

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make. The application form states private sewage treatment and surface water to watercourse but there are many Trunk Water Mains within site 1200 mm ST , 36" (900 mm ST), 27" (675 mm CI) 10" (250 mm PVC) 8"(200 mm PVC) diameter.. Easements shown records. I enclose plan of exclusion zones.

Condition;

Development shall not commence until a detailed scheme for the accurate location, protection of and access to its apparatus during construction and afterwards of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason;

Northumbrian Water's apparatus is located in the development site. We require unrestricted access to this apparatus at all times and will not permit the erection of buildings or structures over or within 6m to it. Any proposed crossing, landscaping, parking areas or tree planting must comply with the standard Northumbrian Water guidelines. Diversion or relocation of the apparatus may be possible at the applicant's full cost. The Developer should contact Peter Heppell Advisor (tel 0191 419 6613) to agree the detailed scheme for the accurate location, protection of and access to its apparatus in accordance with Northumbrian Water's standard easement conditions.

I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Yarm Town Council

Yarm Town Council objects to the proposed housing development at Mount Leven Planning Application 12/1546/OUT. The proposed development must not take place until the Infrastructure in and around the area is addressed. The roads cannot sustain any more traffic than we have on a day to day basis. Additional traffic will only exasperate an already serious situation and could cause gridlock. The development will directly affect the Green Infrastructure Corridor as referred to in the Local Development Document. This site is outside the current limits of development and is a greenfield site; this scheme would inevitably see the loss of open green space. There remains implications in terms of encroachment of the built form of Yarm towards Ingleby Barwick and this encroachment of the built form must be balanced with the improvements offered and the planning gain associated with the protection indefinitely of the Leven Valley and the enhancements made to the recreational values associated with this valley. Local services would come under immense pressure, devaluation of property could occur and over development of areas in and around Yarm when considered with all other planning applications.

Head of Technical Services (summarised)

General Summary

Technical Services have reviewed additional information provided by the transport consultant and uphold a highways objection on the basis that the applicant has failed to satisfactorily demonstrate the proposed development would not adversely affect highway safety. From a landscape and visual viewpoint it is considered that the impact of the development cannot be mitigated until the new tree planting screen matures and as such this impact would be

significant and adverse for up to 10-15 years. Views from Roundhill where the site is highly visible are considered to remain adverse.

Highways Comments

Trip Rates – Continuing Care Retirement Community (CCRC)

It was requested by Technical Services that a sensitivity test be carried out for the evening peak assessment to account for the large difference in trips forecast when comparing the Mount Leven trip rates and the trip rates for a recently consented residential development (Morley Carr residential development). It was acknowledged from the outset that the principle of a lower trip rate for this type of development (CCRC) was acceptable, given that an age restriction for future occupiers (over 55 only) would be conditioned. However, when reviewing the initial trip rates, it was noted that whilst the morning peak hour trip rate would generate approximately 84% of the traffic that would be generated if residential trip rates were applied (a reduction therefore of about a fifth), the evening peak hour rates would only generate approximately 45% of traffic that would be generated if residential (Morley Carr) trip rates were applied. Thus it was considered appropriate to re-adjust the evening peak hour rates based upon a similar assumption as that recorded during the morning peak hour i.e. that the evening peak trip generation equates to approx 80% of that which would be expected if applying the residential trip rates for the recently consented Morley Carr residential development.

For the PM peak, the CCRC trip rates have therefore been adjusted to 0.317 arrivals per unit and 0.182 departures. For 350 units this gives 111 arrivals and 64 departures in the PM peak hour.

Trip Rates – Community Hub

A forecast on the potential number of trips generated by the community hub was requested. The consultant noted that these facilities are intended for the benefit of residents of the development only and not for people from the wider area. However, it was requested that a robust transport assessment should consider staff and delivery / maintenance trips to these facilities.

Based on the range of facilities within the hub, the consultants forecast that 18 people could be employed in shifts with the maximum number on site at any one time of about 12 (worst case). It was noted that not all of these trips would travel by car - using the journey to work census data applied in the Morley Carr TA, the consultant indicated that about 75% (9) would be single car users and 8% (1) would be car passengers or travel by taxi. As a worst case it has therefore been assumed that 9 car trips would arrive in the AM peak and depart in the PM peak and the taxi would arrive and depart in each peak.

It is accepted that some of the trips could be made outside the peak hours and a target of the travel plan (to be conditioned) should be to minimise peak hour car trips to the community hub. The travel plan should also seek to minimise the number of delivery trips by looking at initiatives such as co-ordinating deliveries to the site. Therefore, the forecast number of vehicle trips associated with the community hub (shown below) is considered to be acceptable for the purpose of highway assessment with the caveat that the site actively seeks to reduce vehicle trips to the hub through the travel plan process.

	AM Peak		PM Peak	
	Arrivals	Departures	Arrivals	Departures
350 CCRC	65	99	111	64
Nursing Home	19	10	11	17
Comm Hub	10	1	1	10
Total	94	110	123	91

Traffic Distribution

The transport consultant has updated the traffic distribution based upon traffic survey information on Leven Bank Road. This splits the site traffic onto the network at the access relatively evenly – during the morning peak hour there is forecast to be 48 vehicles travelling west towards Yarm and the A1044 / A67 roundabout and 62 vehicles travelling east towards Ingleby Barwick and the A1044 / Barwick Way roundabout.

The traffic diagrams provided by the applicant show that there are approximately 580 trips towards the A1044 / A67 junction during the morning peak hour. An increase of 48 vehicles would therefore equate to an 8% increase. At the A1044 / Barwick Way roundabout the eastbound flow would increase by 8.5%.

Impact Assessment / Highway Mitigation

An updated junction impact assessment for the A1044/A67 and A1044/Barwick Way junctions (based on the updated flows) has not been provided. It is a concern of Technical Services that there is existing congestion at these junctions in the peak periods and therefore any additional traffic would have a material impact on congestion and queuing at the junctions. Furthermore, this development is one of a number of local development sites which are currently being considered for planning and which could have a significant cumulative impact on the highway network. It is probable that the Council will seek a contribution from each of the applicants on a pro-rata basis to fund the necessary mitigation measures that are required to accommodate the cumulative impacts of the developments in the local area.

Furthermore, it has been previously noted that a contribution would be required towards the improvement of car parking within Yarm, should this application be approved. Yarm High Street is congested and therefore any increase in traffic in the area as a result of development is considered material and should be mitigated by a contribution towards off-street car parking. The traffic distribution assumes 44% of traffic travels west towards Yarm. If the contribution was therefore requested from 44% of units it would require a contribution based on 154 properties (350 units in total). Based on the formula of 0.046 spaces to be provided per dwelling, the applicant would need to fund 7 spaces at the cost of £64,936 (cost of £9,166.67 per space). However, given the shuttle service provision (which should be conditioned if permission is granted), it is considered appropriate to reduce the contribution requested. Furthermore, no information is provided regarding the frequency of the shuttle service and whether it would discourage private car trips to Yarm. In the absence of data, it is considered that the car parking contribution be reduced to £50,000. The trigger point for payment is on occupation of the 25th dwelling and should be secured through a S106 agreement. If the applicant can demonstrate that the impact would be less by providing additional information about the shuttle bus service, the contribution could be reduced accordingly.

Pedestrian and Cycle Links

Additional information has been requested with regards to the sustainable linkages from the site, particularly towards Ingleby Barwick. Given the lack of infrastructure on Leven Bank for pedestrians and cyclists, it was previously noted that without a bridge link it would not be possible to walk or cycle in this direction (eastwards) and this would significantly impact on the Travel Plan measures and targets. The provision of a bridge across the River Leven would therefore be essential to provide sustainable links from this development. However, a concern is that a bridge would be undeliverable due to the high costs required to overcome the constraints associated with building the connection. The client's architect has provided a cost estimate for the bridge of £85,000. This cost estimate is extremely low compared to previous estimates – the estimated cost of the Leven crossing was estimated at £3.9m three years ago (SBC Connect 2 Scheme). The applicant has been asked to confirm what is included within the scope of the more recent estimate but no details have been provided to date.

Roundabout Access

Technical Services are awaiting a Stage 1 Road Safety Audit of the proposed access junction to assess whether the roundabout access into the site is deliverable. A preliminary review of the access has been undertaken by SBC engineers. The review concludes that there is sub-standard forward visibility, particularly on the westbound approach, as a result of sub-standard radii at the roundabout approaches. This has a significant affect upon the available stopping sight distance when there are vehicles in the opposite lane and presents a substantial hazard e.g. a HGV travelling eastbound would restrict the forward visibility of westbound traffic approaching the roundabout. Load shedding is also a possibility. The development's transport consultant has queried the standards SBC engineers have used in undertaking the review, particularly given that the dimensions applied to the proposed access are comparable to the roundabout constructed at the A1044 / Barwick Way junction to the east of the site. However, whilst there may be sub-standard roundabouts in the borough, it should not be used as an appropriate reason to construct another given the potential hazards.

Landscape & Visual Comments

Landscape Character

The topography of the site is currently gently with rolling sloping fields with the land to the north and east steeply sloping down to the River Leven. There are hedgerows on the eastern edge and intermittent trees within the site. The area is classified as urban fringe pasture in the Stockton Borough Council Landscape Character Assessment, but on account of its steepness the south eastern slopes of the River Leven are unsuitable for agriculture. The Landscape Character Assessment classes this main site as having a medium capacity for development, but suitable development identified in the assessment is limited to agricultural structures. The south eastern slopes of the River Leven are classed as a very low capacity for development.

The site is within an area of Green Wedge and is mainly within a Special Landscape Area which are policies designed to maintain and prevent the coalescence of Ingleby and Yarm and to prevent development that would detract from the character of these areas. This area is also part of the Tees Heritage Park core area a designation designed to provide a high quality setting for public recreation along the Tees and associated river corridors and improving biodiversity in the corridors. The site also forms part of the Green Infrastructure River Leven Corridor (no. 17) designed to enhance landscape and wildlife connectivity between sites in the borough.

Environmental Impact Assessment and Illustrative Masterplan

The EIA contains discrepancies regarding the heights of the proposed buildings stating that firstly that 'the development will be principally single storey residential properties' and then in the next sentence stating that 'there will be no two storey buildings'. Another section of the EIA ref Proposed Development states that 'building heights would vary throughout the development with storey height varying between 2 and 3 floors'. Clearly any discrepancy needs to be clarified as the basis of all photomontages and subsequent analysis is likely to be inaccurate. These discrepancies need to be corrected and if necessary the location of any higher buildings be noted on a plan and revised photomontages and the impact on any viewpoints reassessed.

The EIA considers that although the immediate impact of the development upon the landscape would be high this will gradually be reduced to a moderate impact with the use of native planting both within the site and around the development where woodland block planting is proposed. This woodland block planting varies in width throughout the site from approximately 7 metres on the south western fringes near Leven bank road, 7-25 metres on the eastern edge of the development facing the Ingleby Barwick Housing estate, hedges only to 22 metres on the western edges facing Yarm and up to 85 metres on the northern edge facing the River Tees.

Whilst this statement regarding how trees could assist in the mitigation of the proposed development is technically correct it assumes that all viewpoints can be screened but more importantly it fails to recognise that until the planting is mature the proposed housing development would dominate the landscape in much the same way that Ingleby Barwick dominates the western slopes of the River Tees. With the benefit of years the trees would provide mitigation, however it is likely that a minimum period of 15 years from planting would be required to provide sufficient screening. This period could be significantly increased if appropriate maintenance is not undertaken.

Viewpoints

Having examined the various photomontages of the scheme and considered the landscape and visual analysis assessment it has been demonstrated that from several viewpoints notably view ref 1 and 3 - 6, the impact of the development would have a substantial and adverse impact initially but that the proposed boundary planting should on maturity reduce this to a moderate impact in most cases. However, little or no mitigation of the predicted adverse visual impact would be achieved until the tree blocks reach maturity. This impact of housing dominating the landscape would occur for a minimum period of 15 years in which time there would be little in the way of visual separation between settlements. Views representing 10-15 year tree growth rates taken from viewpoints 3 and 5 demonstrate this. Photomontage, View 6 from Round Hill demonstrates that even with the benefit of mature woodland block mitigation the visual impact is likely to remain substantial and adverse. This is illustrated in the 10-15 year tree growth view. It is noted that if the application was amended to remove this area of housing then the remaining area with the benefit of mitigation (in the form of woodland planting) be able to be screened in a way that the adverse visual impact is reduced. The redefinition of the limit of the proposed development should be reassessed via the EIA, landscape and visual assessment process.

In the long term the proposed mitigation in the form of woodland block planting should assist in integrating the proposed development into its surroundings but only if this planting is increased to a minimum width of 10 metres and providing the area of proposed development to the far north of the site as illustrated in View 6 from Round Hill is removed from the application. Whilst woodland block planting on maturity would significantly screen single storey development (note height of development is still to be clarified) the introduction of large area of woodland planting would change the character of the landscape in this area.

The impact of the development would also be greater in the winter months following deciduous leaf fall although by including a degree of evergreen species within the screen planting this could be reduced. Winter views should be produced so that the impact of the development can be fully examined. The use of mounding together with an evergreen (coniferous) content to planting mix of these proposed woodland blocks could improve the effectiveness of the screening. If the approved is given to the development it is recommended that advance tree planting should be carried out to minimise the initial visual impacts of the development. This should be conditioned with a recommendation that all the block woodland to be fully planted in the first planting season following commencement of development.

Impact on the Green Wedge, Special Landscape Area and Tees Heritage Park

It is considered that the open character of the green wedge would be irrevocably changed by this development. The open agricultural character of the site would be replaced on day of opening of the development by housing. On maturity of tree planting the character would change again to one of dense woodland which is necessary to screen of the proposed housing and infrastructure across the development area. The aim of the Green Wedge policy is to prevent the merging of the settlements of Yarm and Ingleby Barwick. Clearly until the proposed woodland reaches maturity there would be inter-visibility between the existing settlements and the proposed development.

The Special Landscape Area site designation is designed to prevent development that would not detract from the character of the site and this is a saved planning policy from the 1997 Adopted Local Plan. It is considered that development on such a scale would substantially alter the open, agricultural nature of this area. The areas contribution to the Tees Heritage Park would be similarly changed by this development.

Built Environment

The proposed application should consider good practice urban design principles in relation to treatment of the proposed built environment. Proposals should be in accordance with **SPD 1: Sustainable Design Guide** and follow guidance set out in **Building for Life** and the Homes & Communities Agency's document **Quality Reviewer 'Appraising the design quality of development proposals'**.

Environmental Policy Comments

The application is proposing to use renewables - Solar PV, Air Source Heat and heat recovery are mentioned. Numerical data is required on the estimated total energy demand and total renewable energy supply to ensure compliance with CS3. No details about carbon footprint are provided at this stage but the approach regarding sustainable construction and renewable energy supply suggests that this will become available as detailed design progresses.

Flood Risk Management Comments

The submitted Flood Risk Assessment indicates that the proposed development site is situated within Flood Zone 1. The development must not increase the risk of surface water run off from the site or cause any increased flood risk to neighbouring sites. Any run off must not exceed pre-development rates. Any increase in surface water generated by the development or existing surface water / ground water issues on the site must be alleviated by the installation of a suitable drainage system within the development site.

The Council supports the use of sustainable drainage systems particularly systems at ground level such as swales, trenches, ponds, filter strips, permeable paving and retention basins. The developer must consider the area required to provide adequate attenuation for the site as it would have to be factored into the land availability for housing and recreational area/public open space.

A surface water management plan including a detailed design and calculations showing how the drainage system performs in a 1 year, 30 year and 100 year storm and again over the same periods with a 30% allowance for climate change should be submitted to the local authority for consideration. Calculations using the WinDes Software (Micro Drainage) are preferred.

Highways Agency (summarised)

The Highways agency has reviewed the application and associated documents, namely the Transport Assessment by HY consulting. From the information provided by HY it can be seen that whilst there are some credible sustainable measures proposed for the site, there is still concern as to the amount of trips potentially using the Strategic Road Network (SRN) during the morning and evening peak periods. Therefore further information is required.

As indicated the report does not consider the highways implication that may arise upon the Strategic Road Network and therefore at present there is insufficient information presently available to allow the Agency to respond formally on the application.

As a result, please find enclosed a TR110 direction of non-approval on behalf of the Secretary of State specifying that the application not be determined for a specific period of time, once further information is provided that will allow us to come to a view on the proposals we will then respond accordingly.

Councillor Mrs M Rigg

I will say here that I'm very concerned from what I can see on the plans about the creation of a fairly major access onto that road. Leven Bank isn't easy to negotiate safely at the best of times, so having to worry about a junction there will surely make matters worse. It's also true that in general as we get older our reaction times slow so I'd have thought that housing for older people should be accessed as safely as possible, preferably off a road which has good visibility and good opportunity for braking, rather than just fulfilling the necessary visibility splay.

I should also have said below that although the only detail being considered at this stage is the access this application also seeks to establish the principle of development within the Tees Heritage Park at one of its most tranquil and beautiful locations. The THP concept was not just accepted but welcomed by SBC when proposed and is established in the Core strategy. If this application succeeds then the partnership with community organisations which has done so much to improve the image of SBC in the community over recent years will be damaged, possibly irrevocably. It will also negate all the work on the green infrastructure policy in that area and mean that the lottery funding which has been obtained and spent so far will have been gained under false pretences.

I am a member of the Friends of Tees Heritage Park so I do have an interest to declare, but I do not believe it to be prejudicial.

Councillor Ben Houchen

I object to planning application 12/1546/OUT for the following reasons. 1) The proposed location of the development location is in contravention of current Council Policies and Strategies, including but not limited to the Core Strategy, the Draft Planning Framework, and the Stockton on Tees Local Plan.

2) Additionally, traffic and access are a huge concern given that many motorists use the adjoining road and any access to this development would be extremely dangerous given the two blind bends and the issue of visibility for motorists coming up level bank. With the amount of extra traffic the site would generate, plus adding to that the pressures from other potential development approvals for the Yarm area in the next 5 years, this would increase the already dangerous nature of this road. To add further weight to this a previous application in 1990 for the same site and road access of a roundabout, was refused by the Secretary of State on the grounds of Highway & Road safety. This has been supported over the years by the traffic issues residents see on a daily basis across south Stockton. The impact this and other proposed developments will cause further chaos and health and safety issues on the highway, especially around the proposed roundabout on Leven Bank. The idea of a new junction, as proposed, at the top of Leven Bank is misguided in its concept and would do nothing to alleviate any of these problems. 3) Furthermore, Leven Valley is designated as Green Wedge and as such should be protected from development. The Function of the wedge being to prevent the merging of communities. Indeed, the Current Core Strategy seeks to strengthen the separation between settlements.

4) Also, another of the many impacts this development would have would be upon the Ecology and natural environment of the wildlife corridor at Leven Valley. The wildlife under threat is wide & varied as listed in the Ecology report. In addition serious consideration should be given to the fact that the whole of the valley is a migratory route for Deer & Bird species. The Ecological report also expresses concern about the development of a nature park describing it as a major negative for some species within the valley. In regard to the Tees Valley Heritage Park it's important to note that it has been awarded Lottery funding which was achieved in partnership with Stockton Council, should this development be approved it would seriously undermine not only the funding from Camelot but the Council would be at odds with their commitment to the Projects objectives and vision for the future.

5) Another extremely serious consequence of this proposal would be the impact on Yarm's infrastructure. Yarm would be put under considerable strain from the increase in population from this development, particularly when added to the MOD site at Eaglescliffe and potentially

2 other sites in the Yarm area, an increase of approximately 2000 dwellings. The connotations of this are a potential escalation of up to 4000 vehicles on the roads of Yarm. With an increase of 350 dwellings comes a potential 300-400 cars, therefore what is guaranteed is a further increase in congestion in an already congested area.

Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the conditions as detailed be imposed on the development should it be approved.

- Site Waste management Plans
- Possible land contamination

Stockton Police Station - Eddie Lincoln

If this development is to proceed, consideration should be given to applying Secured By Design principles. Good design must be the aim of all those involved in the development process and should be encouraged everywhere. Current government planning policy strongly supports this principle and makes clear that community safety is an integral part of the design agenda. Should you wish to apply for Secured by Design certification please complete an application and checklist form, which can be obtained from www.securedbydesign.com Secured by Design SBD New Homes Application Form. Please forward to me at the earliest opportunity.

Council For The Protection Of Rural England

We have a number of concerns about the application.

Most significantly this area is an important wildlife corridor, which allows access to the main river corridor. Land on the Ingleby side has already been degraded in biodiversity terms, which makes maintaining the integrity of this site even more important. It is home to a number of protected species and an important feeding habitat for other wildlife.

We are also extremely concerned about the loss of green space, especially as should consent be given then the precedent to build outside the 'limit to development' is broken and it will leave smaller pieces of land which are likely to develop piecemeal. Once any consents are approved it sends a signal to developers that they may cherry pick which ever sites they see fit.

This area offers significant woodland cover, something markedly absent in many areas of the Tees Valley. Any loss of this could impact on flood risk along the Leven Valley and also the Tees itself.

There is growing local opposition to the concept of a "retirement village"; there seems to be a strong feeling that a ghetto of elderly people is not a good idea. Significant amounts of affordable housing is still under development within Ingleby Barwick and there is no justification to add to these approvals.

We also have serious concerns about traffic congestion to an already dangerous road. The narrowness of the road plus the gradient and bends and limited visibility for turning all contribute to reasons why such a development would not be appropriate.

For all the above reasons we do not support this planning application.

The Ramblers Association

We thank the council for consulting the Ramblers on the proposed development. We should be grateful if the developer would clarify the following so we will have a better idea of the public benefit that might arise from the development.

1. The existing right of way through the site, FP Yarm 04 will be improved (D&A p 28). What improvements are envisaged and how will they be effected without affecting public passage along them?

2 To what extent will the public at large be able to use the perimeter footpath/cycleways? and the other paths shown in red within the development? (as shown on the proposed site plan - Drawing N^o 1128/023 by Elder Lester McGregor)

3 Are we correct in presuming that the 'School Children's Route to Yarm Schools' through the village will be public? (as shown on the Concept Plan - Drawing N^o 1128/002 by Elder Lester McGregor).

Additional comments;

1. Thank you for getting this information, 2 All seems straightforward except for the reply on the route through the site from Yarm to Ingleby. 3 The application maps showed two bridges across the Leven; but now things seem to be less definite. 4 I'm sure the council will be endeavoring to find out just what the developer has in mind.

Private Sector Housing - Mr Dave Dawson

The Private Sector Housing Division has no objects or comments to make to this application but would suggest our colleagues in Housing Strategy are consulted on the application if they have not already been consulted.

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.

We note the applicant's proposal to develop 10% of the 350 units for affordable housing, however Core strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision 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.

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.

Based on the residential market site scheme of 350 units, 20% affordable housing 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 30% intermediate and 70% rented tenures, and based on the SHMA 2012 a high priority will be accorded to the delivery of smaller (e.g. 2-bed) 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 70/30, it is proposed the split should be:

Proportion	No. of units	Tenure
70%	49	Rent
30%	21	Intermediate Tenure
100%	70	Total

Bed Size: Using borough wide figures from the SHMA 2012

Size	Proportion	No. of units
2 bed	91%	64 units
3 bed	9%	6 units
Total	100%	70 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
64	2 bed	45 x Rented 19 x Intermediate Tenure
6	3 bed	4 x Rented 2 x Intermediate Tenure

Space standards - the Council would expect all affordable housing units to comply with Homes and Communities Agency space/quality standards.

Primary Care Trust

No comments received

Adult Strategy

Whilst the principle of offering accommodation that potentially allows people to downsize in a supportive environment is generally supported by Adult Social Care, my response makes reference to social care support, specifically Section 162 of the national Planning Policy Framework (2012), which states:

Infrastructure

Local planning authorities should work with other authorities and providers to: assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands.

Whilst the initial impact of inward migration of older people will have a more immediate impact on primary care services, the medium and longer term impact is likely to be on local social care services, as the proposed scheme does not appear to be aimed at addressing social housing needs. The potential impact on Council resources of an increased number of people who are able to fund their own social care initially, but whose financial circumstances change, also needs to be considered.

Adult social care would support the development of extra care housing that addressed social housing needs and where eligibility for tenancies is linked to social care need.

Adult social care would not support the development of a care home facility as there is already a significant over-capacity of care home beds in the Borough. Although a recent Equality Impact Assessment of the care home sector indicates that there may be a need for additional nursing and dementia nursing care home provision in the Borough in the future, this would not necessarily require the development of a new facility. I have shared this response with the Primary Care Trust (PCT) as the PCT has the statutory duty to provide nursing services.

Maltby Parish Council

I am writing to register my vehement objection to this planning application, Maher Developments proposals to built a retirement village, including 300 homes (reduced from 450) in the Leven Valley, on a particularly vital green wedge currently separating the ever-more sprawling communities of Yarm and Ingleby Barwick. Also there will shortly be a separate, un related application to build 250 houses on the southern edge of Ingleby Barwick, east of the Leven Valley, more or less just opposite the Co-operative Petrol Station and shop at Glen Esk. This type of “creeping development” makes a mockery of any long term integrated and properly planned building arrangements.

If such development are allowed to proceed, Yarm, Ingleby Barwick and smaller communities like Maltby will be in danger of losing their individual identities as they merge into one large urban mass. The housing estates that have grown up around Yarm already have populations too large for the present infrastructure to comfortably support and to provide accessible amenities. Because a Yarm By-Pass is most unlikely ever to be built (for topographical reasons) and the present infrastructure is already inadequate for current traffic levels, further development at Leven Valley would only exacerbate the already dangerous situation on roads such as low lane and the approaches to Yarm High Street. Vehicular access to this proposed village could only be from two equally dangerous points (a) near the top of the steep slope on the west side (close to the storage depot and exit track of the yellow Prestons’ lorries) and (b) at the bottom of the valley close to Bridgewater House at the site of the former Cross Keys Inn. The latter site could not be regarded as immune from occasional flooding.

Local residents, who know the terrain well, are overwhelmingly against Maher Developments plan and it is to be hoped that the Planning Authorities will take their views into consideration when deciding the outcome of this application. I understand the government has restructured planning legislation and procedure so as to make development easier and more difficult for any opponents to resist. However, in this case, the logic is very largely against the overall effects of the environmental impact that 12/1546 would result in if it went ahead.

Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application no. 12/1546/OUT. Ingleby Barwick Town Council objects to the proposed development on the following grounds: The proposal is located within the Leven Valley where development which harms the landscape should not be permitted. The location is designated green wedge where development should not be permitted which detracts from the open nature of the landscape. The proposed development lies within the Tees Heritage Park, the objective of which is 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. This proposal will have a detrimental impact on this objective. The Leven Valley is an important wildlife corridor and should be protected from inappropriate development such as this. Loss of recreational area, Loss of amenity. Concerns are raised in respect of the large scale of the proposed development. Serious road safety concerns are raised with regard to the proposed access to the site which will be located on Leven Bank Road. This will be a potential hazard for road users and will increase the risk of accident at the location. The increased traffic generated from this development will have an impact on the already congested road network in this area. The proposals for Leven Camp will possibly give rise to further issues which need to be taken into account. Concerns are raised in respect of the potential issues with anti social behaviour which could arise from the proposed footbridges over the River Leven. Ingleby Barwick Town Council would request that Stockton-on-Tees Borough Council's Planning Committee undertake a site visit to the proposed location during the determination process of this planning application. The Town Council hopes that the Planning Committee will give the above concerns raised, due consideration.

PUBLICITY

12. Notification letters were sent to the surrounding residents and local press advertisements being made. Due to the vast number of comments received the names and addresses are displayed within the appendices, whilst the various comments are set out below (in summary);

Objections:

- The site is green wedge, development would bring Yarm and Ingleby Barwick closer together and contrary to policies EN13/HO3/CS10/NPPF
- The land is a greenfield site
- Proposal is out of keeping with the area
- The site is within the Tees Heritage Park
- Impact on Yarm High Street in terms of parking and traffic bottlenecks.
- General increase in traffic within the surrounding area
- Accident record data is inaccurate
- Further traffic onto Leven Bank, increased danger from proposed roundabout
- Impact on wildlife and wildlife habitats/ Protected species are present in the area including great crested newts
- The site is outside of the boundary for development and is not included in the draft LDD which identifies sites for housing development
- Yarm does not have the infrastructure to deal with additional houses
- Community facilities should be for the benefit of all
- Loss of farm land
- The development would increase the risk of flooding
- The site is unsustainable
- Other retirement villages locally have failed
- The proposed bridges would provide opportunities for crime and antisocial behaviour in the Yarm /Ingleby Barwick areas
- More air and noise pollution
- Drainage methods not deemed appropriate/inadequate infrastructure
- 40% use of local labour insufficient
- Will place high dependence on medical personnel/facilities
- No need for further housing/demand for this type of housing
- Possibility of Archaeological issues
- Viability of adjoining farms and farmland
- Will create a segregated community
- Future development proposals – i.e. housing development
- “Is Foreign investment who have little or no interest in our area needed?”
- There are several pipelines running through the proposed Development plot.
- The Localism Act 2011 allows communities to have a say in long term development of the area?
- Planning Inspector stated no further planning on the surrounding land for a minimum of 25 years - a period that has not yet elapsed.
- Quality of information submitted/inaccuracies in information submitted

Support comments :

- Similar projects seen elsewhere (America) which are a great success
- Interest in moving into the village
- Opportunity for older people to purchase a smaller house within a safe community of people of similar age
- Allows single elderly people to meet new people or those caring for partners, whilst maintaining independence.
- Would provide a range of convenient services for elderly people in a community and mean limited need to travel
- Provide economic benefits as a result of investment and jobs within the area
- Leven Valley would not be harmed

- ❑ No experience of significant traffic problems along Leven Bank
- ❑ Main travel from the site would not be at peak periods
- ❑ The development would help to release family housing elsewhere
- ❑ A better option than a retirement home as will allow residents to remain at the heart of a community
- ❑ Would be a high quality development for Teesside and the North East
- ❑ Yarm needs a retirement facility of this quality
- ❑ Applicant has proven record for providing High quality development
- ❑ Suitable for aging parents
- ❑ Would provide unique views
- ❑ Land would be built on at some point or other
- ❑ Elderly population is expected to grow

PLANNING POLICY

13. 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
14. 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
15. The following planning policies are considered to be relevant to the consideration of this application:-

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

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.

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'.

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.

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

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

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

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

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

Core Strategy Policy 4 (CS4) - Economic Regeneration

8. Additionally, support will be given to:

i) Suitable enterprises that require a rural location and which support the rural economy and contribute to rural diversification; ii) The establishment of new enterprises, particularly where related to existing industries, assisting them to evolve with advancing green technologies; iii) The expansion of research-based businesses associated with Durham University's Queen's Campus;

iv) Growth in sustainable tourism, particularly in the following locations:

a. The River Tees as a leisure, recreation and water sports destination, with regard given to the protection and enhancement of the character of tranquil areas along the river corridor between the towns of Stockton and Yarm;

b. Preston Park;

c. Sites linked to the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution; and

d. Saltholme Nature Reserve.

v) The creation of employment and training opportunities for residents by developers and employers.

Core Strategy Policy 5 (CS5) - Town Centres

2. Stockton will continue in its role as the Borough's main shopping centre. Up to 2011, the need for additional capacity can mostly be met through committed developments and the occupation and reoccupation of vacant floorspace. Beyond 2011, there may be a requirement to bring forward new retail developments within the town centre in the first instance, to improve quality and widen the range of the shopping offer in the Borough. The creation of specialist roles for Stockton, for example as a sub-regional historic market town, or through the concentration of a mix of ethnic retailers or small independent chrysalis stores, will be supported. Other initiatives will include:

i) Improving the main approaches to the town via the Southern, Eastern and Northern Gateways, through creating new development opportunities and promoting environmental improvements;

- ii) Promoting a balanced and socially inclusive cultural sector and 24-hour economy across the town centre, particularly in the vicinity of Green Dragon Yard;
- iii) Providing additional leisure opportunities, and other town centre uses, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth;
- iv) Improving pedestrian links to the riverside.

3. Billingham, Thornaby and Yarm will continue to function as district centres. Priority to regeneration initiatives will be given to:

- i) Thornaby centre
- ii) Billingham centre

Proposals which support Yarm's specialist niche role in offering higher quality comparison shopping, together with leisure and recreation opportunities will be supported, provided that the residential mix within the district centre is not compromised.

7. Should any planning application proposals for main town centre uses in edge or out-of-centre locations emerge, such proposals will be determined in accordance with prevailing national policy on town centre uses as set out in Planning Policy Statement 4: Planning for Sustainable Economic Growth or any successor to Planning Policy Statement 4.

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.

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

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.

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.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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.

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.

Saved Policy EN7

Development which harms the landscape value of the following special landscape area will not be permitted:-

- (a) Leven Valley
- (b) Tees Valley
- (c) Wynyard Park.

Saved Policy EN29

Development which will adversely affect the site, fabric or setting of a scheduled ancient monument 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 HO3

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

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

16. 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.

The following sections of the NPPF are considered to be relevant to the determination of this application;

Section 1. Building a strong, competitive economy

Section 2. Ensuring the vitality of town centres

Section 4. Promoting sustainable transport

Section 6. Delivering a wide choice of high quality homes

Section 7. Requiring good design

Section 8. Promoting healthy communities

Section 10. Meeting the challenge of climate change, flooding and coastal change

Section 11. Conserving and enhancing the natural environment

Section 12. Conserving and enhancing the historic environment

MATERIAL PLANNING CONSIDERATIONS

17. The main planning considerations of this application are compliance with planning policies and the impacts of the proposed development on; the vitality and viability of defined centre; the visual amenity/character of the area; the setting of scheduled ancient monuments; levels of residential amenity; highway safety; features of archaeological interest; flood risk; protected species; crime and anti-social behaviour and other matters arising out of consultation responses.

Principle of development

18. Given that the proposed development is of a large scale and as a result of the site is being subject to a number of designations (through either saved policies within the Local Plan, the Core Strategy and some draft planning policies within the emerging Environment and regeneration LDD) there are a number of planning policy issues that need to be considered;
19. Although the Regional Spatial Strategy remains in place and is part of the development plan, the Government has made clear its intention for this document to be revoked. The weight of policies within this document (the RSS) are therefore limited and it is consider more prudent to focus upon the relevant policies of both the National Planning Policy Framework (NPPF) and the development plan in the determination of this application.

Housing need and supply

20. One of the NPPF's core planning principles includes making every effort to 'identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.' As members will be aware the Council has produced a report that demonstrates it is unable to provide a 5-year supply of deliverable housing land as required by the National Planning Policy Framework (NPPF). As a consequence the policies in the development plan that specifically deal with housing supply are out of date and the proposal must be assessed in relation to the presumption in favour of sustainable development and the tests set out in paragraph 14 of the NPPF. Paragraph 14 clearly sets out that planning

applications should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole or that specific policies in the NPPF indicate it should be refused.

21. The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual deficit in the provision of affordable housing at 560 homes and it is a benefit of this application that it would contribute to the provision of market and affordable housing. This is not withstanding the Council's preference for addressing these issues through a plan-led approach. The study also highlights a shortfall of bungalows across most of the district of Stockton-on-Tees; clearly this scheme has the potential to in part assist in meeting the housing needs arising from demographic changes. This is a significant benefit that would accrue from the development.
22. It is acknowledged that there are brownfield areas within the Tees Valley and the Borough that could accommodate a similar development. However, the NPPF is clear that if a five supply is not available within a Local Authorities area, housing sites must be brought forward through either the development plan process and/or through planning applications, not definite distinction is made between brown and greenfield sites.

The NPPF, achieving sustainable development and core planning principles

23. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. The NPPF then sets out a number of core planning principles which include that planning should 'take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'. Also included in the core land use principles is 'Every effort should be made objectively to identify and then meet the housing, business and development needs of an area, and respond positively to wider opportunities for growth'.
24. The proposed development therefore needs to be assessed against these and other elements of the NPPF and judgements made as to whether the benefits of the proposed development fully met the aims and objectives of sustainable development or whether there is significant harm that would mean the development is contrary to these aims.

Environmental Protection & Green wedges

25. Paragraph 4.1 of the adopted Core Strategy sets out the Council's vision for the borough. This includes 'The diversity, quality and character of the natural and built environment, together with the Borough's unique historic assets, are valued, protected, enhanced and optimised for the benefit of everyone'. Criterion 8 of the adopted Core Strategy seeks to protect and enhance the Borough's natural environment and to promote the creation, extension and better management of green infrastructure and biodiversity. The protection of the natural environment is also seen as a core element of the definition of sustainable development and forms a key part of guidance within the National Planning Policy Framework.
26. Core Strategy Policy 10 (CS10) is based solely around Environmental Protection and Enhancement and at criterion 3i) sets out that the separation of settlements and quality of the urban environment will be maintained through the protection and enhancement of these areas, including those which are identified as green wedges. It is also recognised that these strategic gaps and green wedges form part of wildlife corridors which helps to create added value to the borough.
27. Green Wedges are a local designation which the Council attaches significant importance, Core strategy policy CS10(3) seeks to maintain the separation between settlements as well as the quality of the urban environment, specific reference is made in this policy to the Leven Valley

between Yarm and Ingleby Barwick, The green wedge at this particular point encompasses the Leven Valley from the residential properties on the edge of Ingleby Barwick and stretches across to those on the fringes of Yarm, as a result the whole of the application site is covered by the green wedge allocation.

28. The applicant has set out what he considers to be relevant case law relevant to the determination of the application and in respect of green wedge issues in both the planning statement and a supplementary report. It is noted that good design and layout are important considerations (which are assessed latter in this report) which can help to limit the impacts of a development. The references to the other appeal decisions and pieces of case law seem to centre around sites which relate to strategic gaps or have gaps of a relatively wide nature where development was deemed not to fundamentally alter its nature or have a significant impact on the landscape. In contrast the application site lies within a stretch of green wedge that is in part, elevated, lies adjacent to a river valley of landscape value and is limited in its width. It is therefore considered that these decisions are not directly comparable. Other case law referred to in terms of retirement homes in rural area are also noted, though in one instance this relates to a brownfield site where development and regeneration is typically to be encouraged, again this is considered to differ significantly from the proposed development.
29. A recent appeal decision recalled by the Secretary of State in August of this year (2012) in Coalville, Leicestershire (ref; APP/G2435/A/11/2158154) also related to residential development within the green wedge. Whilst it is fully acknowledged that this site is also not directly comparable to the applicant site, there are some similarities particularly in terms of the policy context and the attempts that the appellants went to minimise the impact of the development through its layout with the intention of minimising the impact on the green wedge. The inspector noted that the site provided a variety of pleasant and unobstructed views and offered an appreciable degree of rural tranquility. Whilst the inspector acknowledged that the scheme would not lead to the complete coalescence of these two settlements (Coalville and Whitwick) the overall effect of the scheme would still be “tantamount to the (undesirable) coalescence of Coalville and Whitwick” and the proposed development would have been on such a scale that it would have eroded the Green Wedge to a very large extent. The resulting effect would have been to harm the purposes, identity and character of this part of the green wedge.
30. Similarly and although now a dated decision, the 1991 appeal decision for this application site is still a material planning consideration and although the wider planning policy context has changed significantly the inspector reached a view on the green wedge and its purpose. As the purpose of the green wedge has not changed the planning inspectorates view on this is still considered to be relevant to this current application. As part of this decision the inspector concluded that Yarm has a very different character to that of Ingleby Barwick and as a result it is important adequate separation is maintained. It was not considered that the width of slopes of the Leven Valley by itself was sufficient to achieve this aim. It is acknowledged that the previous decision related to a different type of housing development and that the current proposal is different in its nature. Equally the benefits of the scheme and policies within the NPPF also represent a change from the previous scheme.
31. Whilst the applicant has clearly taken a sensitive design approach that would both maintain the slopes of the Leven Valley, be set back from the escarpment by distances ranging from 7-25 metres and provide a substantial landscape buffer that would assist in screening the proposed development, it does not alter the fact that much of the site and green wedge would be lost to development. Although landscaping could be incorporated to screen any development it would still severely limit the existing width of the green wedge and narrow the sense of openness that prevails within the area, It is for these reasons that the proposal is considered to cause significant harm to the Green Wedges function and thereby bring about the coalescence of the settlements of Yarm and Ingleby Barwick.

32. Objections have been raised that the proposal would create a precedent and that once the principle of housing has been established this would not necessarily prevent alternative developments coming forward and that other sites between the existing dwellings and proposed development may also come forward for development and be difficult to assist. Although controls could be imposed to ensure that the nature of any development is limited it would not prevent future applications being made. In both cases future applications would need to be assessed on their own merits and impacts.

Tees Heritage Park

33. The site also forms part of Tees Heritage Park of which the aim is to provide an attractive setting for recreation along the river corridors. Although the number of objections raising the issue are noted, the Tees Heritage Park is not itself a policy designation. However, its value is recognised in adopted policy through the references to it in the adopted Core Strategy Policy CS10 and its role and function is both consistent and compatible with the Green Wedge. It also forms an integral part of the Strategic Green Infrastructure Network. As outlined above there is some conflict with these aspirations.
34. However, it is acknowledged that one of the aspirations of the Tees Heritage Park is to provide access for recreational opportunities, the benefits of which add to sustainable tourism offer of the borough. Significant investment has been invested within the Tees Heritage Park through lottery funding and increased access has been achieved through improved or new footpath creation and the establishment of permissive rights of way. As detailed later in this report part of the proposal would assist in furthering these networks through the land transfer of and which form part of the River Leven Valley. However, these benefits would need to be balanced against the overall scale of the proposed development, its compatibility with the surrounding land uses and the urbanising effect of the site and its impact on the current tranquil character of the area.

Retirement living

35. Although the retirement living concept is not new to this country and there are many smaller examples elsewhere, particularly in the south of England, few are of this scale and offer the extent of services put forward by this application and as a result it is a fairly unique concept. The applicant claims that as a result of people moving into the development family housing would be freed up and become available for families wishing to move up the property ladder. Comments from objectors in relation to 'first-time buyer' housing being required are noted, however, it is considered that it would be difficult to make any clear statement or judgement regarding how much housing would be freed up within the Borough as the development may not solely appeal to those current residing in Stockton on Tees Borough.
36. Many objectors have raised concerns in relation to the need for such housing, whether such a concept is likely to be successful and future development intentions. Although such comments are duly noted it is not the purpose of the planning system to specifically question the need for a 'retirement village' As outlined earlier the Borough has a shortage of housing land over the 5 year time frame and this housing development would help to address this issue. The number of older residents in the Borough is continuing to grow and such a scheme caters specifically for such housing need. The concept of the proposal and its likely success would be a matter for the applicant and should it be necessary controls could be imposed to limit the nature of the development similar to that proposed through either planning conditions or through a section 106 agreement, such aspects may need to include limits on dwelling heights and age restrictions. The fears with respect to future/further developments are also noted but each application must be assessed on its own merits and against the development plan at that moment in time.

37. As a result there is no justifiable objection to the principle or concept of a retirement village with a range of services and care provision on planning grounds and the considerations are based on whether this is an appropriate site for such a development.

Housing mix and affordable housing provision

38. It is recognised that the proposed scheme is aimed at the 'over 55's' of the community and that the properties will be offered for sale on the open market with a proportion being offered as affordable housing. The scheme ultimately proposes 'independent houses' and as a result the proposal should predominately be classed as a C3 use (dwelling house) and assessed against the relevant housing policies of the development plan.
39. 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'. Given the site is a greenfield site with no known exceptional site development costs in an area attractive to the market, the relevant target within the target range is 20%. This is the contribution recently agreed in relation to the Morley Carr Farm application (also a greenfield site in an area attractive to the market) and it is important to apply the policy consistently. During the course of the application the applicant has agreed to up the offered affordable housing provision from 10% to the required level of 20% and accordingly this aspect of planning policy has been met. Should the application be considered for approval then this would need to be secured through a section 106 agreement.

The quality of the agricultural land

40. The majority of the application site is shown classified as either grade 2 or grade 3a agricultural land, paragraph 112 of the NPPF states '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 a higher quality. 'The best and most versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification. It is noted that the applicant has stated the economic climate has made farming activities on the land unviable, however, the land classification relates to the land quality and arguably therefore the viability of the land could improve as and when the economy begins to recover.

Sustainable living and climate change

41. In order to accord with criteria 1, 2 & 5 of policy CS3 the development would meet with either level 3 of the code for sustainable homes (up to 2013) or level 4 thereafter. All non residential aspects of the scheme would also need to reach BREEAM rating 'very good' to 2013 or 'excellent' thereafter. In addition the proposed development would need to provide 10% renewable energy on site. As all these elements could be controlled via planning conditions, it is considered the proposal could accord with this aspect of planning policy

Community facilities

42. Core Strategy Policy 6 (CS6) criterion 1 sets out that priority will be given for facilities that contribute towards the sustainability of communities and in particular those residents of Ingleby Barwick. The proposal includes a number of community facilities intended to serve the population of the proposed development. Whilst these would provide some improvement to the sustainability of this development, it is not considered that they offer any wider benefits to the existing communities of Yarm or Ingleby Barwick

Draft Preferred Options Policy designations

43. As members will be aware the Authority has recently consulted on its preferred option as part of the Environment and Regeneration LDD. Whilst the policies within this document are still open to review and further consultation they do carry a degree of weight, albeit limited at this

moment. Several of these policies are considered relevant in the determination of this application. These include;

Housing designations

44. It should be noted that the site is not identified in the Core Strategy Review of Housing - Issues and Options document as suitable for housing. Furthermore, no representations regarding the site have ever been received in relation to the strategic housing land availability assessment or directly through the local plan process. Paragraph 17 of the NPPF, setting out core planning principles, states that planning should be genuinely plan-led, empowering local people to shape their surroundings. The possibility of the development of this site for a retirement village has not been highlighted through the local plan process and could be deemed to conflict with this core planning principle of the NPPF.

Limits to Development

45. Strategic Policy 4 (SP 4 - Green Wedge), within the Regeneration and Environment DPD Preferred Options draft, outlines the categories of development that would be supported on land designated as Green Wedge, these include activities such as agriculture, recreation forestry and burial grounds, the proposal does not fall into any of these categories. Whilst representations were made to have the boundaries of the green wedge designations modified, the 'Review of the Limits to Development and Green Wedges' (May 2010) review did not recommend any alteration to the boundary of the green wedge in the Leven Valley.

Economic/Regeneration benefits

46. As alluded to earlier (Para 21) a key benefit of the proposed development is that it would help to meet the boroughs 5 year housing supply whilst also providing a type of housing (bungalows) that is in short supply. Along with the potential for freeing up further housing as a result of persons moving into the development this is a key consideration in favour of the development.
47. Within the planning inspectors report to the Secretary of State in 1991 it was recognised that the proposal had some wider benefits. Although that scheme included a 9 hole golf course this was not seen to provide an important contribution to local sport. However, it was deemed that allowing public access to the wooded slope of the Leven Valley (subject to management agreements preventing ecological damage) would be a significant public gain particularly if it could be linked to the country park on the opposite bank of the river. This remains true within the current application, although a further benefit would also be achieved through the applicants offer to provide a footbridge across the Leven Valley to link with Ingleby Barwick. Although any connections, its position and scale have yet to be defined or agreed, there remains potential for a suitable solution to be agreed and this would need to be secured via s.106 agreement. By achieving such linkages and in the current context of the Local Plan and Core Strategy it could be argued that improved and increased access from the River Tees, along the River Leven that would (in part) help to meet with the aims of the Tees Valley Heritage Park. Like the inspector concluded in 1991, it is again considered that all of these aspects would carry significant public benefit, although as with any planning application these aspects need to be weighed and balanced against any short coming the scheme has from the planning policy perspective.
48. The proposed development is of a large scale and as a result of both its scale and the phased approach to development of the site, this would take a number of years to be built out and therefore provide a number of jobs in the short to medium term. It is also reasonable to assume that such benefits may come from the supply of services and material as well as through construction jobs.
49. In view of the above, it would be remiss to not recognise that the proposal in meeting an identified need for housing would provide and fulfil a social and an economic role that favours the proposed development. However, it is important to balance these benefit against the other material planning considerations set out within the report.

Vitality and viability of defined centres

50. Policy CS5 of the Core Strategy sets out the councils retail planning policies, with the aim of maintaining and enhanced the defined retail centres of the Borough as they provide convenient access to everyday shops, services and local community facilities. Criterion 1 Policy CS5 states that no further allocations for retail development will be made other than in or on the edge of Stockton Town Centre during the life of the Core Strategy, while Point 3 states that Billingham, Thornaby and Yarm will continue to function as district centres. In line with policy CS5 of the Core Strategy new retail development and town centre use (which includes high trip generating uses) requires a sequential approach to site selection, i.e. a town centre first approach, this is also echoed within the NPPF. The only exception to this is where any such use or uses could be classed a truly ancillary to a development. As part of the proposal the applicant has set out that such facilities would be for residents only and that the 'estate' would 'subsidise' such facilities to ensure there long term viability.
51. The indicated scale of these community and leisure facilities is such that it is not considered that they would have a significant impact on Stockton town centre or the local centres taken as a whole and it is also difficult to determine how significant any impact would be as the intention appears to be that the proposed facilities are ancillary to the main development. On balance therefore it is considered it would be unlikely that these uses would cause any significant harm to the Boroughs defined retail centres. It is however, acknowledged that it would be difficult to control the use of such facilities to 'residents only' through any planning control. As part of any reserved matters application it would therefore be necessary to ensure that the scale of these uses is of an appropriate scale to that of the development as a whole.
52. Equally it is accepted these services would provide a degree of sustainability to the development as a whole, particularly in helping to meet some of the day-today needs of any future residents. Travel to other services is inevitable and the applicant has offered some travel provision as part of the scheme, notwithstanding this, it is not considered this would be significantly different to those residences within the locality and as a consequence it would not be sufficient to justify the development as unsustainable in its own right. Concerns in relation to whether some of the proposed services would provide similar offers to other established businesses would be a matter of competition and this is not a material planning consideration.

Visual amenity/Character of the area

53. The topography of the site is currently gentle with rolling sloping fields with the land to the north and east steeply sloping down to the River Leven. The area is classified as urban fringe pasture in the Stockton Borough Council Landscape Character Assessment which considers that the majority of the site has a medium landscape capacity for development, where as the area separating the site from Ingleby IS WHAT?!!. The site is also covered by a Special Landscape Area designation which alongside the green wedge policy seeks to prevent the coalescence of Ingleby and Yarm.
54. The applicant has carried out an Environmental Assessment and a landscape visual assessment, although the Environmental Assessment contains some discrepancies regarding the building height of the scheme it states that the immediate impact of the development would be high reducing to a moderate impact as a result of planting within and around the site. It further outlines that the woodland block planting would vary from approximately 7 metres to 25 metres and whilst it is technically correct in assuming the majority of view points can be screened, it fails to recognise that until the trees start to mature the proposed housing development is likely to dominate the landscape, it is expected that the minimum period of 15 years would be required, though this could significantly increase without appropriate maintenance.

55. Furthermore it is evident from view 6 (looking south from Roundhill) that even with the benefit of mature woodland block mitigation the visual impact is likely to remain substantial and adverse where elements of the proposed development would be seen as it cascades down the bank towards the River Tees. Given the sloping nature of the site it is unlikely that these views could be fully screened, however, if this area of housing was removed and with additional woodland planting screening could be provided that would mean the adverse visual impact is reduced, although would require further assessment through the EIA and landscape and visual impact assessment process. The impact of the development would also be greater in the winter months following deciduous leaf fall and it would be necessary for evergreen species to be included within any screen planting and the appropriate use of mounding would add to the effectiveness of any screening. If members are minded to approve the application planning conditions could be imposed to require control over dwelling heights (i.e to single storey) and advanced planting works in the first planting season following commencement of the development given that the landscape and visual impact assessment has been judged on this basis
56. Notwithstanding the above it is considered that the open character of the site and green wedge would be irrevocably changed by this development as the open agricultural nature of the site is replaced by housing and on maturity of the tree planting, further changes to its character would occur as it becomes dense woodland. The Special Landscape Area site designation is designed to prevent development that would detract from the character of the site and it is considered that that development on such a scale would substantially alter the open, agricultural nature of this area.
57. The Open Space, Recreation and Landscaping SPD include quantity standards which identify the level of demand caused by new development. The development will place a demand upon open space, sport and recreation facilities and it is therefore necessary to ensure that the development provides adequate open space, sport and recreation facilities to meet the needs of the residents. Based on the figures within the Design and Access it is anticipated that 1.1 ha of amenity green space and 0.65 ha of allotments would be required onsite. The concept plan submitted as part of the proposal includes open space in the form of village greens and green corridors linking spaces within the development, leisure facilities (including a gymnasium, swimming pool, tennis court, bowling green and village hall) and the transfer of land within the River Leven Valley to the Council for use as a Country Park. Generally the proposal provides open space; sport and recreation go beyond that required by the Open Space, Recreation and Landscaping SPD. However, consideration could be made to provide an element of allotment space in line with identified standards, the level of this provision could be controlled via planning conditions or through section 106 agreement

Setting of Scheduled Ancient monument

58. The Round Hill Monument is situated at the junction of the River Tees and Leven, set back from the river edges by approximately 100 and 90 metres respectively. The surrounding land is formerly agricultural in nature and is due to be handed to the Council as a result of the Betty's Close Farm development, meaning there would be limited change in its immediate setting. Although the proposed housing would result in development being closer to the monument, it would remain set back from the River edge and would not be as close as the existing housing of Valley Drive (Yarm). The proposed landscaping would also provide a degree of screening, which over time would further limit any views, although some views of housing rising up the bank would remain.
59. Given that the scheduled monument would retain an acceptable buffer immediately around it, that the proposed development would also maintain a buffer adjacent to the River Tees, the monument would still be seen within the context of the Tees and Leven Valleys, with only more distant views of the proposed development resulting from southern views. As a result there would be a limited impact on the setting of the scheduled monument and it is not considered

that the proposal would cause any significant conflict with saved policy EN29 in respect of the setting of the Round Hill Scheduled Ancient Monument.

Residential Amenity

60. The concept drawing indicates that the separation to the closest property on the eastern fringe of Yarm would be 60 metres although more typically these range from 70-100 metres, Similarly those properties which front onto Leven Bank Road are also approximately 60 metres from the indicative areas of new housing. The properties on the western fringes of Ingleby Barwick (on the opposite side of the Leven Valley) would be approximately 200 metres from the proposed development at the nearest. The properties within the Bridgewater development (formerly the Cross Keys public house) are located approximately 100 metres and situated at the base of Leven Bank Road, any potential for overlooking into these properties is therefore severely limited. Whilst the final details of any proposed scheme would be a matter for future consideration, the separation distances and the potential for future landscaping of the site are considered sufficient to ensure that the proposed development would not have any significant impacts on the amenity of the neighbouring residents of either Yarm or Ingleby Barwick in terms of loss of daylight, appearing overbearing or a loss of privacy that would justify a refusal of the application on planning grounds.
61. Again details regarding the final site layout and positioning of the dwellings would be submitted as part of a future reserved matters application and the internal relationships between properties would be assessed at this time. However, the indicative drawings do provide enough detail to demonstrate that the proposed 350 retirement dwellings, care home and associated facilities could be accommodated on site and ensure that acceptable levels of amenity are provided for future residents of the proposed development at this stage of the determination process.
62. Short-medium environment impacts such as dust, noise and general disturbance during any associated construction activity could be minimised and controlled through planning conditions should the development be approved.

Highway Safety

63. Technical Services have reviewed additional information provided by the transport consultant and uphold a highways objection on the grounds that at present the applicant has not satisfactorily demonstrated the proposed development will not have a detrimental impact on the free flow of traffic and highway safety. These concerns are based upon the following issues;
64. An updated junction impact assessment for the A1044/A67 and A1044/Barwick Way junctions (based on the updated flows) has not been provided. It is a concern of Technical Services that there is existing congestion at these junctions in the peak periods and therefore any additional traffic would have a material impact on congestion and queuing at the junctions. It is probable that the Council will seek a contribution to fund the necessary mitigation measures that are required to accommodate the cumulative impacts of the developments in the local area.
65. The development proposes a new roundabout upon Leven Bank Road and a Stage 1 Road Safety Audit is awaited at this time. However, a preliminary review of the access arrangements has been undertaken which concludes that at present there is sub-standard forward visibility, particularly on the westbound approach, as a result of sub-standard radii at the roundabout approaches. This has a significant affect upon the available stopping sight distance when there are vehicles in the opposite lane and presents a substantial hazard e.g. a HGV travelling eastbound would restrict the forward visibility of westbound traffic approaching the roundabout. This may cause additional problems such as load shedding. Possible solutions would include moving the roundabout further south or increasing the radius of the roundabout. Although the applicants transport consultant has queried the standards applied and highlighted similar

roundabouts (i.e. that at the A1044 / Barwick Way junction), it should not be used as an appropriate reason to construct another given the potential hazards

66. Furthermore, it has been previously noted that a contribution would be required towards the improvement of car parking within Yarm, should this application be approved. Yarm High Street is congested and therefore any increase in traffic in the area as a result of development is considered material and should be mitigated by a contribution towards off-street car parking. The traffic distribution assumes 44% of traffic travels west towards Yarm and based on the formula of 0.046 spaces to be provided per dwelling, the applicant would need to fund 7 spaces at the cost of £64,936. However, given the shuttle service provision (which should be secured through a legal agreement), it is considered appropriate to reduce the contribution requested. As no information is provided regarding the frequency of the shuttle service and whether it would discourage private car trips to Yarm, it is considered that the car parking contribution be reduced to £50,000. The trigger point for payment is on occupation of the 25th dwelling and should be secured through a S106 agreement. If the applicant can demonstrate that the impact would be less by providing additional information about the shuttle bus service, the contribution could be reduced accordingly.
67. Additional information has been requested with regards to the sustainable linkages from the site, particularly towards Ingleby Barwick. Given the lack of infrastructure on Leven Bank for pedestrians and cyclists, it was previously noted that without a bridge link it would not be possible to walk or cycle in this direction (eastwards). The provision of a bridge across the River Leven would therefore be essential to provide sustainable links from this development. However, concerns remain that a bridge would be undeliverable due to the high costs required to overcome the constraints associated with building the connection. The applicant has provided a cost estimate for the bridge of £85,000 which is considered extremely low in comparison with previous estimates. Confirmation is therefore required as to what is included within the scope this estimate but no details have been provided to date. As a result it is considered that the sub-standard pedestrian and cycle linkages would significantly affect the long-term sustainability of the site. There are also concerns about the stability of the bank in relation to the bridge construction.
68. Furthermore, there is also a holding direction from the Highway Agency that would prevent the Authority making a favourable decision on the application.

Features of Archaeological Interest

69. Various archaeological works has been carried out on the site by the applicant, this has included a desktop assessment along with full geomagnetic report and some trial trenching. Following a full geomagnetic survey of the site some significant anomalies were found to be present which suggested that these could be consistent with settlements of prehistoric to Romano-British date and a Romano-British settlement and its field system. As a result some trial trench evaluations have been carried out to fully assess the significance of the anomalies and appropriate weight given to their conservation.
70. Although a final report on the findings has yet to be submitted to Tees Archaeology, they have been present on site and monitored the work. Although a formal report is still being prepared based on Tees Archaeology's observations in the north-west of Mount Leven Farm a pair of Iron Age enclosures (c.400 BC-50 BC), containing several round houses were identified and deposits included organic material. A second concentration of archaeological features was identified to the south of the farm and these produced some Romano-British pottery (50 BC-400 AD).
71. Tees Archaeology has advised that once the report on the trial trenching is received the applicant will have provided sufficient information to understand the significance of the heritage assets of archaeological interest. It is considered that these sites are likely to be of regional

importance and that they could either be designed out of the development to avoid impact or archaeologically excavated in advance of development. A combination of both approaches could be taken with the first option having an impact on the yield of the development and the second would carry a cost implication to the developer.

72. Such matters could be controlled via planning conditions and as a consequence it is considered that the proposed development would not have a detrimental impact on features of archaeological interest so as to justify a refusal of the application and thereby accords with saved policy EN30 of the Local Plan.

Flood risk

73. Further information has been submitted to the Environment Agency in relation to flood risk and disposal of foul sewage, as a result the Environment Agency have withdrawn their previous objection and considers that the proposed development is acceptable provided that a planning condition is imposed on any approval granted. The proposed development is therefore considered to meet with the requirements of the National Planning Policy Framework and does not pose any significant threats to flood risk.
74. Further advice is offered in respect of controlling surface water run-off through sustainable urban drainage systems (SUDS - which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible) and in respect on invasive plant species (Japanese Knotweed & Giant Hogweed), appropriately worded informatives could be placed on any planning approval and/or secured through planning conditions where appropriate.

Protected Species

75. Advice from Natural England sets out that further survey information is required in respect of bats, breeding birds and badgers and to a large extent this is also reflected within the ecological assessment (which forms part of the Environmental Statement) which makes clear that further survey and study should be undertaken in spring 2013 prior to detailed mitigation plans being drawn up. Although the submitted report sets out some mitigation, this is basic, lacks detail or is of a very general nature, it therefore remains officer's view that without further survey work and details of any proposed mitigation it is difficult to fully understand the potential impacts on these protected species.
76. It has been suggested that 'pre-reserved matters planning conditions' for further survey could be imposed, however this would not fully address all matters prior to determination and therefore allow a fully informed and sound planning decision to be made. This would carry significant risk should any additional surveys highlight fundamental impacts and harm that was failed to be considered at the determination stage and may have resulted in a different decision.
77. It is however, understood that the applicant has commissioned further survey work to be carried out and is actively working with qualified ecologists to address these concerns. Unfortunately, at this moment in time advice from Natural England has not been received and therefore it is considered there is insufficient information at this moment in time to be satisfied all matters in respect of protected species have been addressed and as a consequence a reason for refusal is recommended.

Crime and Antisocial-behaviour

78. Section 17 of the Crime and Disorder Act 1998 places a duty on the Council to deliver safer, more secure communities and places a duty on them to do all they can to reasonably prevent crime, disorder and anti-social behaviour in their area. Secured by Design requires that community safety is a central part of the design process the guiding principles encourage well

designed, attractive, clearly defined and well maintained developments so that a sense of shared ownership and responsibility is created.

79. The Police's Architectural Liaison Officer has considered the application and has advised that consideration should be given to applying Secured By Design principles, that planning policy strongly supports this principle and makes clear that community safety is an integral part of the design agenda. The final design of the scheme is yet to be established and opportunities for designing out crime would need to be fully considered at the reserved matters stage of the application.
80. Whilst concerns with respect to increases in anti-social behaviour either side of the river as a result of the proposed footbridge are noted there is no evidence to suggest that this would occur and careful consideration would need to be given to the layout and design of footpath links and any lighting (to ensure minimum disruption (to wildlife and surrounding residents)).

Residual issues

81. Several objectors have also raised the issues of the impact of the development on health services and medical personnel. Although the comments of the Council Adult Strategy division are generally supportive of accommodation that offers the opportunity to downsize within a supportive environment, there are concerns that the initial impact of an inward migration of older people will have a more immediate impact on primary care services. Whilst noted, it is not considered this would be sufficient to justify a refusal of the application. Given the existing care home provision within the borough it is also noted that there is not necessarily a requirement for a new facility, however, the issue of competition is not a material planning consideration and cannot be considered as part of this application.
82. An objector has raised the issue of there being several pipelines that run through the site one of which is thought to carry gas. Although there are a number of pipelines that run through the site, none are considered to be hazardous by the Health and Safety Executives mapping information and as a consequence there is not considered to be any significant risk to public safety in this respect.
83. Comments in relation to the development being funded by foreign investment are not a material planning consideration. This is a matter for the developer and the proposed development must be assessed on its own merits and against relevant planning policies.
84. Several objectors have raised concerns in respect of loss of equity and the devaluation of property, whilst these comments are duly noted the impact of the development on property value it not a material planning consideration and cannot be considered as part of the determination of this application.
85. Several objectors have raised concerns in relation to the proposed method of foul drainage (i.e package treatment plants), however, the applicant has confirmed that they have approached Northumbrian Water and would seek to connect to the main surface and foul drainage supplies. Consequently the concerns and objections to the treatment package plants are considered to have been addressed.
86. Comments in relation to increased air and noise pollution are noted, however, the environmental health officers are satisfied that the proposed development does not cause any significant impacts in this respect to justify a refusal of the application.

CONCLUSION

87. Clearly there are many benefits to the proposed development in terms of the requirements of the NPPF in boosting the supply of housing, addressing some needs of the Tees Valley's older

population, the wider public benefits resulting primarily from increased public access along the Leven Valley and the economic benefits the scheme would bring to the area in terms of investment and job creation. However, in considering all the material planning considerations of the application it is considered that significant weight should still be attached to planning policy and the harm that would arise out of the urbanisation of the land, the coalescence of the settlements of Ingleby Barwick and Yarm and the open character of the site and green wedge.

88. In weighing up these policy constraints against the economic benefits of the scheme, it is considered that despite the benefits and merits that the proposed development would offer, these would not be sufficient enough to outweigh the conflicts with the adopted development plan policies. Furthermore insufficient information has been provided to satisfactorily demonstrate that there would be no significant harm to protected species or highway safety and these form separate reasons for refusal at this stage. The proposed development is therefore recommended for refusal subject to the reasons outlined earlier within this report.

HEADS OF TERMS should members be minded to approve the application

20% Affordable housing provision

Land transfer & associated maintenance payments

Provision of shuttle bus service

A commuted lump sum of £50,000 towards car parking provision within Yarm High Street.

Local Labour agreement

Requirement of over 55's

Requirement to secure community facilities in perpetuity

Provision of bridge across River Leven

Corporate Director of Development and Neighbourhood Services

Contact Officer Mr Simon Grundy Telephone No 01642 528550

WARD AND WARD COUNCILLORS

Ward

Yarm

Ward Councillor

Councillors A B L Sherris, Mark Chatburn, Ben Houchen

IMPLICATIONS

Financial Implications.

Section 143 of the Localism Act and planning obligations as set out in the report.

Environmental Implications.

As report.

Community Safety Implications.

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

Human Rights Implications.

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

Background Papers.

Regional Spatial Strategy

Stockton on Tees Core Strategy

Stockton on Tees Local Plan Alteration

Stockton on Tees Regeneration and Environment DPD (Preferred options)

Draft National Planning Policy Framework (NPPF)

Planning applications; 90/1690/P, 91/0585/P, 92/0318/P, 92/1209/P, 99/1919/P, 00/0819/P, 00/1716/P, 01/1077/P, 01/1078/P, 06/0751/FUL, 07/3035/FUL

APPENDIX 1; List of contributors

Objectors:

James Jackson - 79 Davenport Road Yarm
Mr Frederick Holmes - 118 The Meadowings Yarm
Mrs Carolyn Casey - 9 Kingsdale Close Yarm
Mr And Mrs N Grainger - 40 St Nicholas Gardens Leven Park
Mr David Butler - 10 Ash Grove Kirklevington
Mr Stephen Ward - 7 Westlands Kirklevington
Mrs Helen Page - 34 Carew Close Yarm
Mrs Julie Ramsey -11 Brookwood Way Eaglescliffe
Mrs Louise Grant - 24 Hemingford Gardens Yarm
Mr David Page - 34 Carew Close Yarm
Mrs Christine Greenough - 680 Yarm Road, Eaglescliffe
Mrs Rosalie Butler -10 Ash Grove Kirklevington
Mr Lindsay Eccles - 25 Macklin Avenue Cowpen Lane Industrial Estate
Mrs Dawn Beer - 4 Roedean Drive Eaglescliffe
Mr Steve Ogden - 23 Mount Leven Road Yarm
Mr Paul Andrews - 22 Mount Leven Road Yarm
Mrs Yvonne Thomas - 30 Crosswell Park Ingleby Barwick
Miss Sarah Roberts - 11 Garsdale Close Yarm
Mr Bryan Portas - 7 Greenway Ingleby Barwick
Mr Paul Anthony Seed - 3 Friarswood Close Yarm
Mrs Catherine Hardwick - 70 Mount Leven Road Yarm
Mrs Paula Cousin - 14 Battersby Close Yarm
Mr James Baird - 88 Mount Leven Road Yarm
Mr Thomas Ripley - 3 Middleton Close Eaglescliffe
Miss Zoe Whitmore - 25 Melrose Avenue Gateshead
Richard Martin - 3 Low Church Wynd Yarm
Mr Stewart Ballantyne - 6 Grassholme Way Eaglescliffe
Paul Murphy - 7 Kelsterne Close Yarm
Mrs Ruth Mazonas - 1 St Martins Way Kirklevington
Mr Robert Turner - Pen Y Bryn Church Road Egglescliffe
Mr Brian Robinson -1 Church Close Egglescliffe
C J W Cooley -1 Stevenson Close Yarm
Anne Cooley -1 Stevenson Close Yarm
Karen Bowes - 5 Fairmead Yarm
Pat Bell-Berry - 8 Denevale Yarm
Mr Ross cousin -14 Battersby Close Yarm
Mr Richard Burton - The Old Offices Urray Nook Road
Mr David Greaves - 18 Crooks Barn Lane Norton
Mrs Susan Boanas - 3 Glaisdale Road Yarm
Mrs Carole Horner - 21 Battersby Close Yarm
Mr Paul Oliver - 22 Crosswell Park Ingleby Barwick
Mrs Angela Ballantyne - 6 Grassholme Way Eaglescliffe
Mr Peter Charles Roy -10 Manor Drive Hilton
Mr Robert Horner - Battersby Close Yarm
Mr John Barrett - 8 Grisedale Crescent Egglescliffe
Mrs Margaret Barrett - 8 Grisedale Crescent Egglescliffe
Mrs Geraldine Beagrie -15 Busby Way Yarm
Mrs Susan Spence - 56 Castlemartin Ingleby Barwick
Mrs Wendy Reed -15 Glaisdale Road Yarm
Mr Peter Cornforth - 11A Mount Leven Road Yarm
Mr Philip Hall - 4 The Green Kirklevington

Mr George Kipling - 5 Newbiggin Close Eaglescliffe
Mrs Joan Fox - 2 Playlin Close Yarm
Mr Alan Potts - 6 Caterton Close Stockton On Tees
Mr And Mrs L Warren - 62 Canon Grove Yarm
Mrs Kelly Ogden - 23 Mount Leven Road Yarm
Mr Andrew Duffell - 8 Cennon Grove Ingleby Barwick
Mr John Daws - 16 Mount Leven Road Yarm
Helen Pickering - 12 Church Road Egglecliffe
Mr Richard Finch - 57 Lingfield Road Yarm
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Cheryl Cressey - 62 Castlemartin Ingleby Barwick
Graham Thomas - 1 Battersby Close Yarm
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Mrs Zoe Henna - 25 Glaisdale Road Yarm
Mrs R Carr - 23 Glaisdale Road Yarm
Mr Peter Donaldson - 9 Glaisdale Road Yarm
Rob Horner - 21 Battersby Close Yarm
Caroline Sutton - 16 Battersby Close Yarm
Mr Callum Cousin - 14 Battersby Close Yarm
Mrs Janice Graham - 10 Battersby Close Yarm
Mrs Karen Evans - 17 Battersby Close Yarm
Mrs Marion Johnson - 16 Busby Way Yarm
Mrs Marian Millington - 76 Mount Leven Road Yarm
W J Wright - 22 Battersby Close Yarm
Mr Clarke Beagrie - 15 Busby Way Yarm
Mr Christopher Reed - 15 Glaisdale Road Yarm
Mr John Boanas - 3 Glaisdale Road Yarm
Mr Malcolm Robinson - 60 Mount Leven Road Yarm
Mrs Patricia Webster - 56 Mount Leven Road Yarm
J And K Robinson - 54 Mount Leven Road Yarm
Mr John Millington - 76 Mount Leven Road Yarm
Mrs Doreen Frankland - 43 Roseberry Road, Norton
Mrs Christine Andrews - 22 Mount Leven Road Yarm
Mrs May McQuillen - 2 Church Close Egglecliffe
Mrs Nichola Davison - 55 Castlemartin Ingleby Barwick
Joyce and Tony Harrison - St Annes House The Green
Emma Horner - 21 Battersby Close Yarm
Mrs Dawn Robinson - 1 Church Close Egglecliffe
Mr James Davis - 74 Mount Leven Road Yarm
V Goga - 8 Stevenson Close Yarm
Mr David Pearson - 44 Castlemartin Ingleby Barwick
Mr Ian Thorp - 50 Heddon Grove Ingleby Barwick
Mr Stanley Kidd - 48 Heddon Grove Ingleby Barwick
Mr C and Mrs S Hields - 44 Heddon Grove Ingleby Barwick
Mr Kenneth Dunbar - 29 Challacombe Crescent Ingleby Barwick
Mr John Cavanagh - 6 Dulverton Close Ingleby Barwick
Geraldine Grant - 5 Holnicote Close Ingleby Barwick
Miss Janette Lyall - 9 Atherton Way Yarm
Marion Coleman - 29 Enterpen Close Yarm
Mrs Marjorie Simpson - 15 Mayes Walk Yarm
Mrs Kirsty Orr - Oseghale Green Lane Yarm
Mr Frank Haigh - 31 Darlington Road Stockton-on-Tees
Mr Niall Clerk - 20 Challacombe Crescent Ingleby Barwick
Mr Robert Willis - 35 Grisedale Crescent Egglecliffe
Mr Russell Wright - 2 Stevenson Close Yarm

Mr Lawrence Rosenberg - 1 Eggescliffe Court Eggescliffe
Mrs Avril Monck - 44 West Street Yarm
Mr S J Taylor - 4 West Moor Close Yarm
Norman F Douglas And L Rosemary Douglas- Riversdale Grange 26 Ashville Avenue
Mr Alan Taylor - 7 Atwater Close Yarm
Mr James Dietz - 7 Pennypot Lane Eggescliffe
Ian Fyfe And Jacqueline Fyfe -19 Mount Leven Road Yarm
Village Park Residents Association - 6 Richardson Road Thornaby
Mr Shane Sellers - 2 Eggescliffe Court Eggescliffe
Mrs Charlotte Considine - 18 Levendale Close Yarm
Mr Richard Crouch - 7 Uldale Drive Eggescliffe
Mrs Joanne Radcliffe -10 Fowler Close Yarm
Mr Dean Parker - 25 Roseberry View Thornaby
Miss Natasha Cousin -14 Battersby Close Yarm
Mrs Diane Taylor -7 Atwater Close Yarm
Mr And Mrs Rutherford - 11 Stevenson Close Yarm
Mr Chris Thompson -16 Battersby Close Yarm
Mrs G Daniels - Lea Close High Lane
Mrs Vivienne Chadwick -1 Seymour Grove Eggescliffe
Mr Glen Cooper - 19 Carew Close Yarm
Mrs Lindsey Brownlee - 9 Leven Road Yarm
Mr Steven Anderson - 77 Valley Drive Yarm
Mrs Dawn Hull -10 Grisedale Crescent Eggescliffe
Mr Simon Westwood -10 Lingfield Road Yarm
G Longstaff -1 Carpenter Close Yarm
Mr Neil Harvey -7 Brackenberry Crescent Redcar
Mr Gordon Hardwick - 70 Mount Leven Road Yarm
Mr Colin Morgan - 64 Mount Leven Road Yarm
Miss Lisa Hutchinson - 101 Valley Drive Yarm
Mrs Marie Norris - 97 Valley Drive Yarm
Mr Derek Millington - 2 Caldey Gardens Ingleby Barwick
Mrs Anna Riley - 29 Trevine Gardens Ingleby Barwick
Mrs Carol Gilbert - 31 Trevine Gardens Ingleby Barwick
Mrs Julie Rock - 32 Crosswell Park Ingleby Barwick
Mr Peter Thomas - 30 Crosswell Park Ingleby Barwick
Miss Nicola Mundy - 28 Crosswell Park Ingleby Barwick
Mrs Ann Hill - 26 Crosswell Park Ingleby Barwick
Mr Michael Davison - 55 Castlemartin Ingleby Barwick
I Battenbo -16 Tarr Steps Ingleby Barwick
Mr Nigel Radcliffe - 10 Fowler Close Yarm
Mrs Kathleen and Derek Hatfield - 5 Martindale Grove Eggescliffe
Malcolm Arthur And Freda Kathleen Rose - 7 Stevenson Close Yarm
Mr George Rock - 32 Crosswell Park Ingleby Barwick
Mrs Peninnah Pappworth-McAllister - 4 Foxton Close Yarm
Mrs Penelope Curry - 17 Leven Road Yarm
Mrs Andrea Tompkinson - 10 The Yew Walk, Long Newton
Mrs Carol Johnson - 39 Trinity Gardens, Northallerton
Mr Peter Webster - 56 Mount Leven Road, Yarm
Mrs Regina Donaldson - 9 Glaisdale Road, Yarm
Mr Robin Millman - 3 Church Close, Eggescliffe
Mr Andrew Piasecki - 3 Bridgewater, Leven Bank
Mrs D Smith - Hillcroft Leven Bank Road
Mr Richard Bain - Rose Cottage Leven Bank Road
Mr Kevin Johnson - Woodside Leven Bank Road
Mr Tim Reay - b The Homestead Leven Bank Road

P And K Lamb - 22 Braeworth Close Yarm
 N Smith - 21 Braeworth Close Yarm
 Mr Richard Beeton -17 Braeworth Close Yarm
 Mr Michael Brazell - 16 Braeworth Close Yarm
 Mr P Evans - 17 Battersby Close Yarm
 Mrs June Eccles - 1 The Paddock Nunthorpe
 Mr William Moorhouse - 11 Braeworth Close Yarm
 Louise Gardner - 3 Braeworth Close Yarm
 Mr Edward Johnson - 16 Busby Way Yarm
 Mr Mark Newton -14 Busby Way Yarm
 John Smith - 8 Busby Way Yarm
 Mrs Melanie Bindeman -18 Spell Close Yarm
 Mr Chris Elliott - 10 Spell Close Yarm
 Mr Michael Cottle - 8 Spell Close Yarm
 Mrs Elaine Jackson - 3 Spell Close Yarm
 Mr Stephen Gowland - 15 Braeworth Close Yarm
 Mr Andrew Wortley - 43 Glaisdale Road Yarm
 Mrs Sue Waters - 17 Eskdale Close Yarm (object)
 Mr Stuart Lithgo - 39 Goose Pasture Yarm
 Ms Zoe Williams - 1 The Paddock, Nunthorpe
 Ms Zara Whitehead - 1 The Paddock Nunthorpe
 James Horner - 21 Battersby Close Yarm
 Mrs Mary Jarrett - 6 Valley Drive Yarm
 Mr Duncan Jarrett - 6 Valley Drive Yarm
 Mrs Valerie Robinson - 60 Mount Leven Road Yarm
 Mrs Fiona Carter - 5 Denevale Yarm
 Mr John Bancroft - 44 The Larun Beat Yarm
 Mr Stuart Beagrie -15 Busby Way Yarm
 Jennifer Knaggs - 40 Angrove Close Stockton On Tees
 Miss Janine Connor - 30 Coatham Vale Eaglescliffe
 Mr James Gardener - 25 Melrose Avenue Gateshead
 Bernard Clancy - 21 Challacombe Crescent Ingleby Barwick
 Miss Zoe Whitmore - Castlegate Quay Moat Street
 Ms Christine Franklin - 21 Hird Road Yarm
 Mrs (Dr.) Barbara Checkley - 74 Mount Leven Road Yarm
 Rachel, Andrew, Vincent and Helen Jaques - 7 Bankside, Yarm
 Mrs Janine Stout - 18 Caldey Gardens Ingleby Barwick
 Mr Craig Harrison - The Lodge, Kirklevington Grange
 Mr Peter Barnett - 21 Castle Dyke Wynd ,Yarm
 Mr Geoffrey Mundy - 28 Crosswell Park Ingleby Barwick
 Mr G Morgan - 39 Mount Leven Road Yarm
 Mrs W S Gaitskell -10 Mount Leven Road Yarm
 Mason - 6 Stevenson Close Yarm
 E W Garnet t- C Whitehead - Garth Cottage Leven Bank Road
 Poluton -1 Leven Bank Road Yarm
 A Preston - Workshop Levencroft
 Karen Derey -10 Busby Way Yarm
 Ian Francis Hesling -19 Spell Close Yarm
 A Preston - Roselea Leven Bank Road
 P A Conway - 20 Spell Close Yarm
 Burnett - 9 Spell Close Yarm
 Mr Thomas Dunn - 20 Battersby Close Yarm
 Mrs Ray Elizabeth Rutherford -19 Battersby Close Yarm
 Mr J Curl -12 Battersby Close Yarm
 Owner/Occupier 7 Battersby Close Yarm

Carol Amlin - 5 Busby Way Yarm
Mr and Mrs Hall - 35 Glaisdale Road Yarm
Mr J D Ross -7 Glaisdale Road Yarm
Mr John Tannahill -1 Glaisdale Road Yarm
Bob and June Campbell - 8 Battersby Close Yarm
Mrs G Brette -11 Busby Way Yarm
David Peter Watts - 19 Glaisdale Road Yarm
Sandra Gers - 78 Valley Drive Yarm
Mrs M Rhodes - 62 Mount Leven Road Yarm
Allan Cotton -72 Mount Leven Road Yarm
Mrs P English - 66 Mount Leven Road Yarm
Patricia Eltringham - 50 Mount Leven Road Yarm
Mrs Veronica Jackson - 34 Crosswell Park Ingleby Barwick
Mrs G Holtom - 59 Castlemartin Ingleby Barwick
Paul Laidler - 65 Castlemartin Ingleby Barwick
Mr and Mrs Rees - 63 Castlemartin Ingleby Barwick
Mrs J Luck - 34 Pembroke Drive Ingleby Barwick
Miss V Scott - The Stables Ingleby Hill Farm
Mr F Brooks -46 Heddon Grove Ingleby Barwick
Mr M McDonald - 19 Washford Close Ingleby Barwick
Mrs P A Curl -12 Battersby Close Yarm
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Kathleen Shipley - 10 The Rigg Yarm
Alan and Anne Barber - Laneside Back Lane
E Pach - 10 Stevenson Close Yarm
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Mr P Hartley - 43 Mount Leven Road Yarm
Mrs Henderson - 67 Valley Drive Yarm
Mrs Dorothy Griffin And John Bryan - 92 Mount Leven Road Yarm
Paul Marshall - 3 Stevenson Close Stockton On Tees
Mr G Preston - Levencroft Levenbank Road
Mr G Jarrett - 41 Mount Leven Road Yarm
Mrs Jarrett - 41 Mount Leven Road Yarm
Mr and Mrs Carter - 43 Challacombe Crescent Ingleby Barwick
Mrs B Ross - 7 Glaisdale Road Yarm
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E Dowie - 28 Mount Leven Road Yarm
Peter Elliott - 48 Butterfield Drive Eaglescliffe
JP And D Boddy - 24 Spitalfields Yarm
Mrs P Caldwell - 6 Staindale Close Yarm
Catriona Britton -12 Cromer Court Eaglescliffe
Mrs A Horner - 7 Staindale Close Yarm
Mrs Christine Mundy - 28 Crosswell Park Ingleby Barwick
Mr Tom Howson – Hedgeside, Leven Road, Yarm
Mr Terry Murphy - 162 Davenport Road Yarm

Supporters:

C Viva - Ownesberg Church Lane
Mr Craig Lee - 20 Rounton Grove Stockton-on-Tees
Miss Claire O'Donnell -12 Lawrenny Grove Ingleby Barwick
Mr Yousaf Khalid - 3 Thirsk Road Yarm
Miss Laura Meakin - 26 Scugdale Close Yarm
Mrs Thelma Howarth - 26 Bowood Close Ingleby Barwick
Brian Dalton-Kirby - 71 Jay Avenue Thornaby-on-Tees

Mr Andrew Stohner - 38 Dunelm Road Stockton-on-Tees
Mr Mick Jackson - 6 Bramfield Way Ingleby Barwick
Ms Yasmin Louisa katir - 30 Lanehouse Road Thornaby
Ms Therese Katir - 30 Lanehouse Road Thornaby
Mr Derek Hall - Caravan 34 Bassleton Lane Thornaby
Mr Brian Bates - 22 Carradale Close Eaglescliffe
Mrs Jennifer Smith -14 Millgin Close Ingleby Barwick
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