

DELEGATED

AGENDA NO

PLANNING COMMITTEE

16 JANUARY 2013

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

12/2568/EIS

Land North of The River Tees, Yarm,

Revised application for creation of 11 playing pitches for Yarm School together with access for emergency/maintenance vehicles, a new pedestrian footbridge over the River Tees, two river pontoons, enhancement of mature landscape and creation of public greenspace, enhancement of the Teesdale Way and footpath network and provision of a new public car park for Yarm Town Centre. Revised outline application for a small pavilion linked with the playing pitches (all matters reserved except access).

Expiry Date: 29 January 2013

SUMMARY

This is a hybrid application which seeks full planning permission for 11 playing pitches for Yarm School together with an access for emergency vehicles; a new pedestrian bridge over the River Tees; creation of a public park and creation of a new public car park. The application also seeks outline consent for a pavilion associated with the playing pitch area. A separate Conservation Area Consent application has also been submitted and approved under delegated powers for the demolition of the former haulage yard storage building.

In view of the scale of the proposal and the location of the development, an Environmental Statement (ES) has been submitted with the application.

In tandem with this application, an outline application (12/1990/EIS) has been submitted for residential development for up to 735 dwellings; enhancement of car park at Yarm Railway Station and provision of public open space at land at Green Lane on part of which Yarm School playing pitches are currently located.

The site is designated Green Wedge. Core Strategy policy CS10.3 seeks to maintain the separation between settlements, along with the quality of the urban environment through the protection and enhancement of the openness of Green Wedges within the conurbation. The application site is situated within the River Tees Valley element of the Green Wedge.

The application site is also located within an area identified as part of the Tees Heritage Park. Core Strategy Policy CS10.7 supports initiatives to improve the quality of the environment in the area.

The application site also lies adjacent to and within the Yarm and Egglecliffe Conservation Areas. Of particular consideration with regards to the historic environment are the proposals which include a new footbridge over the River Tees and the provision of a new public Car Park.

The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the impacts upon the character and appearance of the area, impact on the conservation area, highway safety, flood risk, ecology, archaeology and nature conservation and other material planning considerations.

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

RECOMMENDATION

That planning application 12/2568/EIS be approved subject to the following conditions and informatives: -

01. *The development hereby approved shall be carried out in accordance with the following approved plans.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>305-BEL-RT SD.20.10</i>	<i>29 October 2012</i>
<i>305-BEL-RT SD.20.11A</i>	<i>29 October 2012</i>
<i>305-BEL-RT SD.10.03H</i>	<i>3 January 2013</i>
<i>305-BEL-RT SD.20.02M</i>	<i>3 January 2013</i>
<i>746.02E</i>	<i>3 January 2013</i>
<i>746_08</i>	<i>7 January 2013</i>
<i>JN0621-DWG-0018J</i>	<i>3 January 2013</i>

Reason: *To define the consent.*

02. *Reserved Matters of the appearance, landscaping, layout, and scale of the Pavilion shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.*

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

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

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

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

05. *Prior to the commencement of development, details of the existing and proposed levels of the site to be used for playing pitches shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.*

Reason: To ensure that earth-moving operations and the final landforms resulting are such as to compliment and not detract from the visual amenity or integrity of existing natural features and habitats.

06. Prior to the commencement of the development, details of all external finishing materials including footpaths shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to reserve the rights of the Local Planning Authority with regard to these matters.

07. Notwithstanding the submitted details no development shall occur until the design and precise layout of the road, footpaths and cycleways including precise links to the existing Public Right of Way and management and maintenance has been agreed with the Local Planning Authority. Thereafter the roads, footpaths and cycleways shall be implemented as agreed unless otherwise agreed with the Local Planning Authority

Reason: To ensure roads, footpaths and cycleways are designed in accordance with good practice and appropriate connectivity is provided and in the interests of visual amenity.

08. A detailed scheme for landscaping and tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development authorised or required by this permission is commenced. Such a scheme shall specify types and species, layout contouring and surfacing of all open space areas including details of local plant provenance to improve ecological values and the creation of wildlife corridors. The scheme of landscaping shall also include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection to be used in the course of development. The scheme shall also show the treatment proposed to all ground surfaces. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

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

09. All means of enclosure and street furniture associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before the development commences. Such means of enclosure and street furniture as agreed shall be erected before the development hereby approved is occupied.

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

10. Prior to the commencement of the use of the development a Community Use Scheme for the Public Park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the arrangements for access by the public, management and maintenance responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development and shall be effective during the life of the playing pitches.

Reason: To facilitate access to the Public Park for the community of the area and to ensure the satisfactory management and maintenance arrangements of the Park.

11. No development shall be commenced until the Local Planning Authority has approved in writing the details of arrangements for the setting out of the Public Park by the developer, as part of the development, and such arrangements shall address and contain the following matters:

- A) The delineation and siting of the proposed Public Park**
- B) The arrangements the developer shall make to ensure that the Public Park is laid out and completed during the course of the development.**
- C) The arrangements the developer shall make for the future maintenance of the Public Park**
- D) The Public Park shall be completed in accordance with the approved scheme and phasing arrangements as agreed by the local planning authority.**

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

12. No development shall take place until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development, Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.

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

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

Reason: To ensure a satisfactory form of development.

14 No development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. The requirements of Stockton-on-Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection). Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

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

15. All ecological mitigation measures within the 'Extended Phase 1 and protected species survey, E3 Ecology Ltd Report No 5 October 2012 shall be implemented in full in accordance with the advice and recommendations contained within the document.

Reason: To conserve protected species and their habitat

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and

obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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

17. Notwithstanding the submitted information details of the maintenance and management of the pedestrian bridge shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and shall be implemented in accordance with the approved scheme.

Reason: To enable the Local planning Authority to control details of the development,

18. A Construction Management Plan shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of development on with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, HGV Access time restrictions, loading and unloading of plant and materials; the parking of vehicles of site operatives and visitors; measures to effectively control dust emissions and dirt during construction, this shall address earth moving activities, control and treatment of stock piles, and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, and communication with local residents. The approved Plan shall be adhered to throughout the construction period.

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

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

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

20. All trees indicated for retention shall be retained and maintained for a minimum period of 25 years from practical completion of the development. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

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

21. Prior to the bringing into use of the playing fields and Pavilion, a Management Scheme to include, management responsibilities, including a Sports Pitch Car Park Management Plan, hours of operation and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the

approved scheme shall be complied with in full, with effect from commencement of use of the development.

Reason: To ensure the satisfactory management arrangements of the facilities.

22. Notwithstanding the submitted information before development commences for the construction of the car park, precise details of the layout, materials including lighting and controlled barrier, signage and Management Strategy shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.

Reason: To ensure effective operations for the car parking and in the interests of residential and visual amenity.

23. The following measures must be taken for all piling activities on the River Tees at Yarm: Piling work should be performed in the winter months of the year ideally from December to the end of March. Piling activities should be avoided during the key spawning and migration periods (for example, months can be changed according to local circumstances): March to June for smolts and June and October for adult salmon.

Reason: Salmonids migrate along the River Tees. Piling has been identified as having potential to impact upon migratory salmonids. The mitigation techniques outlined in the condition, should reduce the impact of the work on fish in the River Tees.

24. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Final Report by JBA of October 2012 and the following mitigation measures detailed within the FRA:

- 1. Limiting the surface water run-off generated by the site to 3.5 l/s/ha of development area so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.**
- 2. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.**
- 3. Finished floor levels are set no lower than 8.05 m above Ordnance Datum (AOD), with if possible an addition for climate change**
- 4. The proposed footbridge soffit should be set no lower than 8.65m AOD**
- 5. The proposed pavilion must be sited outside the 1 in 100 year flood outline.**

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: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; To ensure safe access and egress from and to the site; To reduce the risk of flooding to the proposed development and future occupants and to ensure the bridge is set above the 1 in 100 plus climate change plus freeboard level.

25. No development shall commence until a detailed method statement for removing or the long-term management / control of Giant Hogweed and Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Giant Hogweed and Himalayan balsam during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and

Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reason: Both species are present within the site as stated in the Ecological report.

26. No development shall take place until a scheme for the provision and management of a 5 metre wide buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:
plans showing the extent and layout of the buffer zone
details of any proposed planting scheme (for example, native species)
details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
details of any proposed footpaths, fencing, lighting etc.
where a green roof is proposed for use as mitigation for development in the buffer zone
ensure use of appropriate substrate and planting mix.

Reasons : Development that encroaches on watercourses has a potentially severe impact on their ecological value, e.g. artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat.

27. Notwithstanding the formal sports pitch provision shown on drawings 746_02D, 305-BEL-RT SD-10.03 and 746_05C, no formal sport pitches hereby approved by this permission shall extend beyond the eastern most rugby pitch measuring 80mx45m as shown on plan 746_08 Maximum Extent of Formal Sports Provision

Reason: In the interest of residential amenity.

28. The playing pitches shall not be used after 18.00 hours.

Reason: In the interest of residential amenity.

29. Notwithstanding the submitted information and prior to use of the playing pitches, precise details of the emergency access gate and Management Strategy shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.

Reason: To ensure effective operations of the emergency access and in the interests of residential amenity.

30. A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1. The programme and methodology of site investigation and recording**
- 2. The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

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

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

31. Notwithstanding the submitted information and prior to use of the bridge and playing pitches and pavilion the Public Right of Way adjacent to the Yarm School boundary shall be increased to a minimum width of 2.5 metres in accordance with a scheme to be approved in writing by the local planning authority and retained for the life of the development hereby approved.

Reason: To ensure a satisfactory form of development.

32. Notwithstanding the submitted information prior to the commencement of development the precise details of the bridge construction shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development.

33. No development shall take place unless and until:

a) A detailed assessment of ground conditions of the land proposed for the new playing field land as shown on drawing no. SD-10.03 Rev F shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.

34. The existing School Travel Plan shall be updated to include information that would be sent in advance to any visiting schools about parking arrangements; Information for parents that outlines that pupils must be dropped off / picked up from within the School; and details of signage and stewarding to control traffic and parking for major events. The Plan shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved Plan.

Reason: In the interests of highway safety and to promote sustainable modes of travel.

35. No construction/building works shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and 9.00am and 1.00pm on Saturday and no Sunday or Bank Holiday working.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

36. Notwithstanding the submitted information details of a scheme for the diversion of existing sewers or precise details of the construction of the development to avoid interference with the existing sewers shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and shall be implemented in accordance with the approved scheme.

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

INFORMATIVES

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

The Council has had regard to all relevant environmental information, including that contained within the Environmental Statement, consultee and consultation responses. The impacts of the development that the Council has considered in that context include: impact on the landscape, Heritage, residential properties and settlements, archaeology, ornithology and ecology, highway safety, noise and disturbance, flooding, health and safety, and the environment in general including the cumulative impacts of the scheme.

Core Strategy Policies CS2, CS3, CS6, CS10 and Saved Local Plan Policies EN7, EN24, EN25, EN28, EN29 and EN30.

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework

The watercourse, including any bankside trees or vegetation within 15 metres of that watercourse, should be protected from development in order to promote conservation and promote visual amenity. This needs to include a method statement for the control, removal and restricting the spread of Giant Hogweed as this species is listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

The location is within the buffer zone for Signal Crayfish so strict bio security measures must be implemented and adhered to when working in the watercourse. Cleaning, checking and drying of all equipment and Personal Protection Equipment must be undertaken to reduce the risk of spreading crayfish plague.

Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters.

The new footbridge will require our prior written consent under the Water Resources Act 1991. Full details of the bridge and how it is to be installed will be required to allow determination of such consent. Although planning permission may be granted, consent may not be approved.

It is recommended that an openspan bridge is implemented to prevent blockages and scour due to the presence of piers/abutments. However, if piers are proposed, its maintenance and blockage removal should be agreed with the local planning authority.

Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters.

Any development within 5 meters of the River Tees will require our prior written consent under the Water Resources Act 1991.

The applicant/developer is advised to contact Alan Daines (0113 200 5713) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

Existing sewers cross the site 315mm and 406mm diameter. Northumbrian Water will not permit a building close to or over its apparatus. The developer should contact Northumbrian Water Ltd if it is proposed to sink boreholes or excavate foundations within 4.5 M of the sewer. No tree planting or alteration of the land within at least 8m of the sewer will be allowed without the permission of Northumbrian Water. This sewer could be diverted or accommodated in the site layout. The developer should contact Maurice Dunn at this office (tel 0191 419 6577) to discuss the matter further

BACKGROUND

1. Yarm School was established in 1978 and moved into the Friarage in 1980. The school has recently invested in new facilities and is a leading independent school with about 260 employees.
2. Yarm School's playing pitches are currently located on Green Lane to the south of Yarm. It is proposed that this development is facilitated by the disposal of the existing school playing fields for residential development and a separate application has been submitted for residential development on the existing school playing fields site.
3. The School contend that the proposal will significantly improve the efficient operation of the School day as the pupils are required to travel to Green Lane to access the majority of their play provision and this will also in turn improve pupil safety and address the parking issue at Green Lane on match days by accommodating all car parking within the existing school site.
4. The School also put forward the case that the relocation and enhancement of the playing fields and new pavilion will further strengthen Yarm School's offer and help to maintain its status as a leading independent school thereby continuing to provide employment and investment locally.
5. A previous planning application (12/1595/EIS) was withdrawn and the proposal has been revised by removing the pitch area adjacent to Eggescliffe Village; astro turf pitches removed, the pitch numbers reduced to eleven; the pavilion design revised to a single storey building of traditional design with floorspace reduced by 70%; the bridge reorientated to provide greater separation distance from residential properties on Atlas Wynd; river pontoons added; bridge plinths revised and the car park redesigned to 34 spaces to be barrier controlled with lighting switched off after close (operating hours 07.00 to 19.30).

SITE AND SURROUNDINGS

6. The application site lies to the north of the River Tees and to the south of the village of Eggescliffe. Yarm Town Centre lies to the west of the site. The site is approximately 62 hectares and comprises predominantly arable fields and mature landscape.
7. The site is bound by the River Tees to the west, south and east and a public right of way, known as the Teesdale Way, follows the north bank of the river at the perimeter of the site.
8. The northern most part of the development site falls partially within the Eggescliffe Conservation Area and the western landing point of the proposed footbridge falls within the Yarm Conservation Area. The most northwesterly part of the site comprises a former haulage yard.

PROPOSAL

9. The proposal is for the provision of eleven playing pitches including rugby, cricket, rounder pitches and one football and one athletics track. No Astroturf pitches or lighting provision are included as part of the proposal with all pitches being grass. All pitches will be provided on the lower ground, adjacent to the River Tees.

10. An access track for use by construction, emergency and maintenance vehicles is also proposed. This would be via an existing vehicle track leading from Egglecliffe village extended to a proposed pavilion and the access point will be managed with the installation of a lockable agricultural gate. The surface of this route will comprise consolidated gravel, retaining a central grassed strip in the manner of the existing track.

11. A Public Park is also proposed which utilises the north western part of the site which currently comprises rough grassland, scattered trees and this area would be subject to additional tree planting to fill gaps in tree groups.

12. Existing access tracks will be improved where sections have eroded or waterlogged and additional park benches provided. An informal recreational circular route will be provided through this area allowing walkers a short loop from the new pedestrian bridge along the Teesdale Way, returning through the retained agricultural land/new public parkland area.

13. A new footpath/cycleway, designed and constructed to an adoptable standard, is proposed from the rear of the car park adjacent to the Blue Bell Public House. The footpath and cycle way, will be positioned on higher ground, adjacent to the Teesdale Way and connect to the proposed footbridge, facilitating ease of access to the public park for all users.

14. In addition to the recreational route through the central parkland, the Teesdale Way will be enhanced. Where necessary, the surface of the route will be improved to provide a safe and accessible route. Additional occasional tree planting is proposed along the route to replicate the landscape character of the northern part of the site. An informal hedge planted with native species will mark the boundary to the playing pitches (a strip of 20m in width), which seeks to retain the natural, and informal landscape character.

15. A new pedestrian bridge is proposed over the River Tees to directly link Yarm School with the proposed playing pitch provision via a secure access. The bridge will also provide public access to the Public Park and Teesdale Way via Atlas Wynd, linking to the existing public footpath.

16. It is proposed that the bridge will be a wooden structure with two central columns proposed to support the bridge, which will be constructed from reinforced concrete foundations with wooden supports. Ramps will be provided where the bridge meets the western and eastern landing points to provide inclusive access and the footbridge will be designed to adoptable standards and will be DDA compliant.

17. The separation distance between the main bridge and residential properties has been increased to over 18m and two river pontoons, to be positioned at either side of the pedestrian bridge, are proposed to meet the requirements of River users.

18. 34 car parking spaces are proposed on land to the rear of the apartment block, adjacent to the Blue Bell Public House, to provide parking for users of Yarm Town Centre. It is anticipated that the facility will be a pay and display, catering for both short-term parking for shoppers or slightly longer for those who work in Yarm or are visiting for the day. The car park will be barrier operated and illumination will be controlled using a timer. A public footpath/cycle route designed to adoptable standard will link the car park to the Teesdale Way and bridge.

19. An outline application seeks consent for a pavilion comprising changing areas, WC facilities and a viewing space is proposed to the south of the Public Park overlooking the proposed cricket and rugby pitches. The pavilion is of traditional design and located at the foot of the slope, which will assist in assimilating the building into the landscape. The detailed design will be subject to a reserved matters application.

20. The existing tree cover will be largely retained and additional trees planted to 'enclose' the pavilion on three sides. This will ensure open views of the pavilion will only be provided from the front of the pavilion over the rugby and cricket pitches.

21. Conservation Area Consent has been sought and approved under delegated powers to demolish the existing brick and wooden building associated with the former use of the proposed car-parking site.

THE ENVIRONMENTAL IMPACT ASSESSMENT

22. An Environmental Impact Assessment (EIA) has been prepared on behalf of the applicant to accompany the outline application. The Environmental Statement (ES) has regard to the following environmental considerations and identify the means by which significant adverse effects will be remedied; Land Use; Transport and Access; Landscape and Visual Impact; Ground Conditions; Arboriculture; Ecology; Archaeology; Water management; Built Heritage; Noise and Cumulative Effects.

23. The findings of the ES are summarised as follows: -

Land Use

24. The proposals will result in a loss a small amount of agricultural land. However, within the application site 27ha of land will be retained in agricultural use. Additionally, grazing land will be managed in the form of a park with open public access. It is, however, important to note that in the time of a national food production crisis all elements of the Site could revert back to agricultural production. Additionally, the land uses proposed accord with both existing and emerging policy. As such, on balance, it is considered that the proposals will have a minor beneficial effect on land use.

Transport and Access

25 .A Transport Statement has been prepared to assess the implications of the Proposals on the surrounding road network. The results form the basis of the assessment of the potential environmental effects associated with the development traffic. The effects of the development related transport have then been assessed for various environmental impacts: Delay; Road Safety and Accidents; Severance; Pedestrian Delay; Pedestrian Amenity; Fear and Intimidation

26. The proposed development will add traffic to the surrounding road network. Even assuming a worst-case scenario the surrounding road network will experience an increase in traffic of significantly less than the 10% threshold, which the guidelines indicate, will produce no discernible environmental impact.

27. The preparation and implementation of a Construction Management Plan will mitigate the minor adverse impact of construction vehicles during the construction period.

Landscape and Visual Impact

28. Within the 2km radius study area, there are a range of landscape and visual effects, most of which could be reduced by careful planning, sensitive handling of detailed levels and siting of

proposed new building and landscape elements in the landscape. There is good potential for mitigation of the most significant effects and, assuming mitigation measures are carried out as proposed, there are areas where these measures would have a beneficial effect upon the landscape.

29. Much of the land within the study boundary is of a particularly high quality, important for tourism and passive recreation, and for this reason has been identified as part of a proposed Tees Heritage Park. There are views out of the site to the edge of two different Conservation Areas and the land within the development site contributes to an important green wedge between the settlements of Ingleby Barwick and Yarm.

30. There would be a noticeable change in landscape character across the southern part of the site, but this would be due to changes in land management from agricultural land to managed sports pitches rather than as a result of a loss of special or notable landscape features. The eastern part of the site will continue to be managed as arable farmland and the proposed reintroduction of historic hedge boundaries across this area will be beneficial in reinforcing this agricultural character.

31. Changes to the existing landform would be minimal. This is due to proposed pitches being situated on an area of the site that is already very flat, therefore requiring little change in levels. The distinctive, sloping profile of the central part of the site would remain unaffected. There would be new features visible in the landscape, including a new timber footbridge, sports pavilion and goalposts associated with the new pitches. These elements have been sited appropriately to minimise impact on the landscape and from most viewpoints they appear as relatively small elements in the landscape. The bridge would be most visible from the rear of the Yarm Conservation Area, but visual impact here can be offset against the recreational and access benefits a new bridge would bring. The choice of a timber structure also helps to offset visual intrusion in a landscape with a rural character.

32. Views into and out of the site are relatively contained, as represented by the views included in this report, which are all located within 500m of the site. This reflects the fact that the natural topography of the site and its position within the wooded loop of the River Tees contains the majority of long-range views. It is woodland cover that largely dictates the 'visual envelope' of the site, therefore the impact is minimised to short-range views. The key receptors are recreational users on the Teesdale Way long distance recreational route as well as visitors to, and residents of, Yarm.

33. In summary, there would be visible changes to the landscape from some key views, but these changes would not adversely affect the use or enjoyment of the landscape for the majority of receptors.

Ground Conditions

34. The site is situated adjacent to Yarm Town Centre on the north side of the River Tees. The site has a steep slope in the west towards the banks of the River Tees on the southern boundary of the site. The site is relatively flat in the east. The southern perimeter of the site is formed by a steep slope.

35. Giant Hogweed was also identified in the west of the site albeit no development is proposed in this location. The site is shown to be underlain by drift deposits comprising alluvium deposits in the south, glacial clay and laminated clay deposits to the north, with a band of glacial sand and gravel through the centre of the site. The solid geology underlying the site comprises Sherwood Sandstone Group and the strata dip towards the east.

36. The site is not in an area affected by shallow coal mining. Using the Environment Agency's Policy and Practice for the Protection of Groundwater the solid geology beneath the site is classified as a Major Aquifer. Major aquifers are highly permeable formations that are able to support large abstractions for public supply and other purposes. This is not considered to represent a constraint to the proposed development.

37. The ground conditions noted above may allow the use of strip footings for lightly loaded structures for the pavilion. Where made ground is encountered, foundations will need to be taken through the made ground into underlying natural strata of adequate bearing capacity.

38. Where new foundations to the footbridge conflict with buried obstructions or loose or soft alluvial deposits, considerable over deepening may be required to reach natural ground of adequate bearing capacity. The presence of trees will also necessitate over deepening of foundations but this is a typical construction method regularly used in similar situations.

39. There is a steep slope to the River Tees on the site adjacent to the site boundary to the south; slope stability should therefore be considered during an intrusive ground investigation in this location as necessary.

40. The desk study indicates that the site has not been previously developed and it is therefore, considered unlikely that significant ground contamination is present.

41. However, it is possible that near-surface deposits may have been affected by slight contamination in the form of particulates emitted from chimneys, or includes localised ash deposits from domestic fires. No significant potential sources of hazardous gas have been identified. The following ground investigation methods are recommended to verify the extent of possible contamination across the site and to provide data for foundation design. Machine excavated trial pits; Cable Percussive Boreholes to 15m bgh; Gas/groundwater monitoring wells; Chemical and geotechnical testing. This will be undertaken prior to development being implemented to re-affirm the above and refine construction methods.

Arboriculture

42. Trees were assessed in accordance with BS 5837:2012 '*Trees in relation to design, demolition and construction – Recommendations*'. The tree assessment considered their condition, retention value and protection requirements, with the information being used to guide the design phase.

43. The value of trees across the site is varied from high to low but with the overall importance of trees to the site and its amenity and recreational uses being high. The information provided within the reports was used within the designs of the various elements proposed to ensure tree protection and to reduce any arboricultural impacts. The findings are summarised as: -

The proposed pitch locations have very minor impact on tree cover. One small group of poor quality trees will require removal that will be compensated for by the post development tree planting. The new car parking area will have very minor impact on surrounding trees. Three low quality trees require removal whilst all higher value trees adjacent to the location will be given adequate protection. The proposed pavilion and bridge will require some tree removals for construction and in relation to the pavilion to achieve the required visibility. Compensatory planting will ensure a net increase in tree numbers in the long-term. The changes and refurbishment of the paths and access points across the site will have no significant effect on tree cover. Again the recommended tree protection measures will address any potential damage being caused.

44. In summary the impact on tree cover given the changes proposed is minor and with the post development tree planting and management plans being undertaken, the tree cover on the site will see a net benefit for the longer term.

Ecology

45. The development area comprises a mosaic of large arable fields, species poor grazing land, dense scrub, mature woodland, species poor hedges and unmanaged parkland.

46. These habitats support a limited assemblage of common farmland and urban fringe birds of local ecological values, and common mammal species.

47. The development will result in the loss of 11.5ha of agricultural land. Impacts within the other habitats on site will be minimal. Two small pond/wetland areas are present within the development area. Assessment has shown that both features are of poor quality to amphibians and survey has not recorded any evidence of protected species. Habitats are largely sub-optimal.

48. Localised impacts to the riverbank will be experienced during the construction of the new footbridge. Otter and water vole survey has shown that neither species are currently using this area, although otter have been confirmed upstream.

49. Bats are likely to use the mature trees on site as roosting locations and the river corridor for foraging. No mature trees with the potential to support bats will be lost as part of the development. The riparian corridor will be buffered from any potential impacts.

50. Low levels of badger foraging activity has been recorded on site, although no sett building activity has been recorded. Impacts upon badger are therefore considered to be minimal. No other impacts on protected species are considered likely.

51. Mitigation measures have been recommended that will address all of the predicted short-term issues. This will include checking survey prior to ground works commencing for badger, otter and protected amphibians, in addition to working method statements for birds, badger and herpetofauna.

52. Enhancement works will aim to promote native fruit-rich planting, habitat mosaics, and strong green corridors. This will result in a net increase in biodiversity provision across the site.

Archaeology

53. The assessment work undertaken to date has comprised both desk based research and on site fieldwork. The desk-based work comprised a collation of all existing written and graphic sources primarily undertaken to identify the nature of known archaeological assets including buried archaeological features, extant earthworks, historic buildings and historic industrial remains. Historical plans of the site from 1856 indicate that it has not been developed during this time. This desk-based assessment was supplemented with a full geophysical survey.

No definite archaeological features have been identified on the site, although some possible pit-like features have been found.

The scheme of mitigation in the form of target trial trenching within the appropriate areas will ensure that the development can move forward without causing any adverse residual effects through the preservation of any archaeological assets encountered.

Water Management

54. The playing pitches, car park and pavilion are not considered likely to impact on surface water runoff and associated water quality. Mitigation measures, including sustainable drainage techniques, will be utilised to attenuate and treat surface water runoff before discharging into the watercourse. This will result in a negligible impact on the receiving watercourse.

55. Discharges of foul from the pavilion will be to a local package treatment plant and thus there will be no impact on the public sewer system. Other hydrological aspects are unlikely to be effected. The effects of the development on hydrology and drainage are therefore considered to be acceptable.

56. The footbridge over the River Tees is unlikely to affect flood risk. The bridge has been raised to the required level via discussions with the Environment Agency and British Waterways.

Built Heritage

57. This chapter considers the effect of the proposed development on built heritage both within and surrounding the site. This chapter considers above ground built heritage elements only. The effects on archaeology have been assessed elsewhere.

58. A robust methodology was followed which included a baseline assessment to identify above ground built heritage elements that have a direct and indirect relationship to the site; the significance of those assets; an assessment of the potential effects of the proposals on the significance of those assets both during construction and on completion; and a review of compliance with national and local planning policy in relation to above ground heritage elements.

59. The heritage assets that formed part of the assessment are set out below:

Conservation Areas: -

1 Egglecliffe Conservation Area

2 Yarm Conservation Area

Listed Buildings - Egglecliffe (on south side of village): -

3 Church of St. John the Baptist (grade I)

4 Village Farmhouse (grade II)

5 Stable buildings to the east of Village Farmhouse (grade II)

6 K6 Telephone Kiosk (grade II)

7 Ivy Dene St Anne's (grade II)

Listed Buildings - Yarm (those in close proximity to river): -

8 Yarm Methodist Church (grade II)

Scheduled Ancient Monuments: -

9 Yarm Bridge (also grade II* listed)

10 Round Hill Castle Mound and Bailey

Other Undesignated Heritage Assets: -

11 Tees Heritage Park

60. With regards to the Tees Heritage Park, this is not a designated heritage asset. It is referred to as the 'Tees Heritage Park' in Core Strategy Policy 10. It is arguable whether the park can be considered an undesignated heritage asset; it would not normally be treated as such. However, for the purposes of completeness we have included it within this assessment.

61. The assessment has shown that, on completion, the direct (physical) and indirect (visual) effects of the proposals on heritage assets listed above are negligible/neutral in all but one instance.

62. The introduction of the rugby goalposts has a negligible to minor adverse indirect effect on the setting of the Round Hill Mound during winter only. This seasonal negligible to minor adverse effect should be considered in the wider context of the setting of the Mound - the suburban development of Ingleby Barwick and Leven, and balanced with the public benefits of the scheme.

Noise

63. Baseline surveys for noise levels across the site were undertaken. The impacts of potential effects have been assessed for future construction and operational phases of the development.

64. Construction generated noise and vibration will be controlled through a Construction Management Plan, agreed with Stockton Borough Council, setting out the hours of permitted work, maximum permitted noise levels and the best available techniques. The likely effects of noise and vibration on the closest receptors will therefore be minimised and will have, in the worst-case scenario, a short-term minor adverse effect.

65. The predicted noise levels associated with the playing pitches, once construction is complete has also been assessed. At all but one of the noise sensitive properties tested, noise from the sports pitches would be at a satisfactorily low level with no change to the ambient noise climate and will therefore not require any mitigation.

66. In one location, Denvale, a small increase in the ambient noise may occur. The most effective mitigation measure against this is the restriction of proposed hours of sports pitch use to protect external amenity during the evening. Sporting activities will be limited to day light hours, as no flood lighting has been proposed, and sports matches or practice sessions will usually end by 18:00 during the summer months.

67. Along the Teesdale Way, impact on the existing noise climate will be of short duration and temporary in nature over the course of a typical week and therefore is of minor adverse significance at 100m from the pitches and negligible significance at 200m.

Cumulative Effects

68. Bringing the above together the cumulative effects chapter of the ES presents the summary findings of the assessment. In summary, whilst during implementation of the scheme there will be some potential adverse effects on landscape, wildlife, hydrology, and noise and built heritage. These effects will be transitory and minimised through appropriate construction management

69. Once concluded the scheme is considered beneficial in a number of regards. Enhancements to the ecology and land use are forecast once implemented.

CONSULTATIONS

70. Consultees were notified and comments received are set out below: -

71. Kirklevington and Castle Leavington Parish Council

We object to the following:

Spoiling the Heritage Park along the banks of the River Tees

Countryside along banks of River Tees enjoyed by all within the Borough of Stockton.

Irreparable destruction of the Heritage Park during construction of Pavilion, Playing fields and bridge.

An area visited and used by schools to support the national curriculum.

An area used regularly by walkers.

Destruction of flora and fauna within Heritage Park.

The Bridge will cause considerable noise pollution due to its' wooden construction and the volume of students crossing at the same time.

Pedestrian Bridge over the River Tees would need to be adopted, at considerable cost, by Stockton Borough Council before it could be used by the general public.

Insurance Liability if public use bridge.

If not adopted the bridge would remain private and not accessible to the general public. The geology of the banks of the River Tees results in a considerably sized construction to host the bridge.

The size and, still too close proximity to existing homes would cause considerable intrusion of privacy and noise.

Question the need for pontoons

Possible Light pollution as car park/playing fields and bridge would require lighting if used in winter months and on an evening.

Any additional access via Egglecliffe Village could not be supported by the road networks entering the village. Road not wide enough for two vehicles to pass without considerable care.

Construction Vehicles entering site via the village would cause considerable problems and inevitable damage. Need to negotiate a school, nursery and play group before entering village.

Existing Playing fields on Green Lane host the parking of coaches, minibuses and cars both on the site, grass verges and along the road when matches are played.

No provision made on existing Yarm School site for these vehicles to park resulting in more parking problems and congestion in Yarm.

Lack of sports and leisure facilities in the area without new facilities being built that are private and not accessible to the general public.

Car Park mentioned in Planning Application, will require considerable alterations being required to the highway to support access both in and out of the site and cause even more congestion to the already overloaded traffic of Yarm. This would have to be approved by Stockton Borough Councils Highways Department.

Costs to support the above highway changes will have to be met by developers

Car Park would need to be well lit to be used in the winter months.

72. Tees Archaeology

Thank you for the consultation on this planning application.

Impact of the proposal on buried archaeological remains.

As we discussed on the telephone (14th November) I have contacted the developers archaeological consultant and agreed a Written Scheme of Investigation for archaeological field evaluation by trial trenching on the site of the proposed playing fields in advance of a planning decision being made (NPPF para. 128). This has now taken place and I received a report this morning. I visited the site during the excavation work to monitor standards and results on behalf of the local authority. Conditions were difficult due to the wet weather but it was evident that at least 1.5m of alluvial silts and plough soil were present, these appeared to be archaeologically sterile. Trenches tended to flood at around this depth.

The developer has confirmed in writing that construction for the playing fields will not exceed a maximum cut of 1.5m (see below). The 'Archaeology' chapter of the Environmental Statement (para H5.2) states that limited soil movement will be required and that the principal impacts will be from the installation of drainage. It is therefore very likely that the playing surfaces can be constructed without penetrating below the alluvial deposits noted in the evaluation trenches thus preserving archaeological deposits beneath should they exist.

This said, the geomagnetic survey submitted with the planning application still shows a number of anomalies of undetermined character and there would be a requirement for further archaeological work to establish their nature if the finished levels exceed 1.5m. Similarly the construction of the bridge might disturb archaeological remains of medieval date associated with use of the riverside in that period (para H5.4). Given the relatively small footprint of the footbridge plinths and our knowledge of the types of deposit expected I am happy that archaeological mitigation can be dealt with by a planning condition for this aspect of the proposal. Mitigation might also be required on an area of ridge and furrow (para H5.3) and new car park area (para H5.6) and again a scheme of archaeological works might be dealt with by means of a condition depending on construction depths. I agree that the site of the proposed pavilion is likely to have a negligible archaeological potential given localised quarrying or pond excavation in the area.

I set out below the suggested wording for a planning condition: -

Recording of a heritage asset through a programme of archaeological works

A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

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

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

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

Impact of the proposal on the setting of Heritage Assets

I understand that Fiona Bage, Conservation Officer will be providing comments on the impact of the proposals on the significance of the setting of heritage assets (including the Conservation Areas and listed buildings) and that English Heritage are also involved. I am happy for them to lead on this aspect of the application given that the key impacts will be on the built environment.

73. Northern Gas Networks

No objection and standard mains records shown.

74. Canal & River Trust (Former British Waterways)

Thank you for your consultation dated 31 October 2012 in respect of the above.

The British Waterways Board (Transfer of Functions) Order 2012 has substituted references to British Waterways in the Town and Country Planning (Development Management Procedure) (England) Order 2010 to the Canal & River Trust. As such, local planning authorities are now required to consult the Canal & River Trust on applications for planning permission in the same way as British Waterways was previously consulted. In addition, under the British Waterways Board Transfer Scheme 2012 (also made under the Public Bodies Act 2011) all the property of British Waterways in England and Wales has now vested in the Trust.

The Canal & River Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding.

The Trust has a range of charitable objects including:

To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;

To protect and conserve objects and buildings of heritage interest;

To further the conservation, protection and improvement of the natural environment of inland waterways; and

To promote sustainable development in the vicinity of any inland waterways for the benefit of the public.

The Trust's comments solely relate to the proposed footbridge over the River Tees for which we act as the navigation authority.

We previously commented on Application ref. 12/1595/EIS in which we supported the principle of the new bridge as it improved access over the River Tees in accordance with the objectives of the Adopted Core Strategy. However, we requested further information and clarification on the design of the bridge. Since the submission of the revised application, the Trust has been in further discussions with the Applicant and our comments are based upon these discussions.

Bridge design

In relation to the proposed bridge, we need assurance that the loading impact of the river piers is sufficient to withstand collisions from river craft and ensure safety of bridge and waterway users. Furthermore, on safety grounds, we would recommend a slight amendment to the bridge design with the inclusion of a toe/kick board that will prevent objects e.g. sports balls falling from the bridge.

Therefore, if planning permission is approved, we recommend a suitably worded condition requiring final details of the design and design criteria for the bridge to be submitted to and approved by the Council and the Trust. Such a condition would meet the tests of the circular 11/95. We also request that the following informative is attached to the decision notice:

"The applicant/developer is advised to contact Alan Daines (0113 200 5713) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

75. Spatial Plans Manager

This spatial planning response is to the application associated with the proposal to develop land north of the River Tees. The Design and Access statement for the hybrid application identifies the scheme as encompassing the following elements:

Full Application

Creation of 11 playing pitches

Enhancement of existing mature landscape

Creation of a public green space for Eaglescliffe and Yarm

Sensitive enhancement to the Teesdale Way and footpath network

A new footbridge over the River Tees and two new river pontoons

Provision of a new public Car Park for Eaglescliffe and Yarm

Outline Application

A Pavilion overlooking Yarm School Playing Pitches

Conservation Area Consent

Demolition of former storage building within the proposed public car park site

The demolition of the former storage building is subject to conservation area consent; consideration of this element of the scheme is not included within this response.

This proposal to develop land north of the River Tees is intrinsically linked to the residential development the schools existing playing pitches at the South West of Yarm, which is subject to a separate application 12/1990/EIS.

Green Wedge and Landscape Impact

Core Strategy policy CS10.3 seeks to maintain the separation between settlements, along with the quality of the urban environment through the protection and enhancement of the openness of Green Wedges within the conurbation. The application site is situated within the River Tees Valley element of the Green Wedge. The impact of the proposal on the green wedge is material in the determination of this application.

Combined with the issues relating to the Green Wedge it will also be necessary to consider the landscape impact of the proposal. Information contained within the Landscape Character Assessment and Capacity Study for the Borough will be of relevance. The application site is located within landscape units 55 & 56 of the Landscape Capacity Study, which identifies that these areas have a low capacity to accommodate change without significant effects on the character of the landscape. The assessment of sensitivity and capacity for each individual parcel of land can be found in Appendix B of the Landscape Capacity Study.

The application site is also located within an area identified as part of the Tees Heritage Park. Core Strategy Policy CS10.7 supports initiatives to improve the quality of the environment in the area. The application should not prevent delivery of the proposals for this area outlined within the Green Infrastructure Action Plan.

Relocation of existing sports pitches

The proposal to relocate pitches from South West Yarm to Land North of the River Tees is in conformity with para 74 of the NPPF in that those pitches being lost would be *'replaced by equivalent or better provision in terms of quantity and quality in a suitable location'*.

Historic Environment

The application site lies adjacent to and within the Yarm and Egglecliffe Conservation Areas. Of particular consideration with regards to the historic environment are the proposals for:

A new footbridge over the River Tees

Provision of a new public Car Park

Section 12 'Conserving and enhancing the historic environment' of the NPPF is of particular relevance which states at para 132 that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification...'

Paragraph 6 of the NPPF advises that 'The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system'. It is therefore implicit that proposals that fail to adhere to the historic environment policies contained within the NPPF are not sustainable development.

Saved Policy EN24 of the Stockton-on-Tees Local Plan will be material in the consideration of the application. This states that:

'New development within conservation areas will be permitted where

The siting and design of the proposal does not harm the character or appearance of the conservation area; and

The scale, mass, detailing and materials are appropriate to the character and appearance of the area'

SUMMARY

The principle considerations regarding this proposal are Green Wedge and landscape impact; Impact on the historic environment

76. The Environment Agency

Having reviewed the application, we have the following advice/comments to offer:

We have no objections to the proposal as submitted, and consider the proposed development will be acceptable providing the following condition is imposed on any grant of planning permission:

Condition

The following measures must be taken for all piling activities on the River Tees at Yarm:

Piling work should be performed in the winter months of the year ideally from December to the end of March.

Piling activities should be avoided during the key spawning and migration periods (for example, months can be changed according to local circumstances): March to June for smolts and June and October for adult salmon

Reason

Salmonids migrate along the River Tees. Piling has been identified as having potential to impact upon migratory salmonids. The mitigation techniques outlined in the condition, should reduce the impact of the work on fish in the River Tees.

The National Planning Policy Framework paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity.

We advise that all the mitigation measures outlined in the Ecology Report by E3 are strictly adhered to.

The watercourse, including any bankside trees or vegetation within 15 metres of that watercourse, should be protected from development in order to promote conservation and promote visual amenity. This needs to include a method statement for the control, removal and restricting the spread of Giant Hogweed as this species is listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

The location is within the buffer zone for Signal Crayfish so strict biosecurity measures must be implemented and adhered to when working in the water course. Cleaning, checking and drying of all equipment and Personal Protection Equipment must be undertaken to reduce the risk of spreading crayfish plague.

Please note that conditions and comments outlined in our previous responses dated 13 July 2012 ref: NA/2012/108128/01-L01 and 20 September 2012 ref: NA/2012/108354/01-L01 still apply.

Separate to this matter, we have also have the following comments/advice to offer:

Flood Risk

It appears from drawing no: SD-20-1 that the pavilion is to be sited outside the 1 in 100 year flood outline. Therefore, we have no further comments to add to our letter of 20 September 2012 ref: NA/2012/108354/01-L01 in relation to the proposed bridge.

Biodiversity

It is recommended that the Council liaises with the Yarm Angling Club with respect of this application. Yarm Angling Club have important fishing interests in the River Tees at Yarm. Our records show that there could be Otters in the area. These are protected under the Wildlife & Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. Further guidance can be found at Natural England's website <http://www.naturalengland.org.uk/>.

Car Parking Areas Discharging Direct to Watercourse

Drainage from parking areas that will discharge to a surface watercourse must be first passed through an oil interceptor. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters.

77. English Heritage

Thank you for your letter of 31 October 2012 notifying English Heritage of the above application. We note that the previous application (ref: 12/1595/EIS) has been withdrawn and that the proposals have been amended.

Summary

This is an extremely large site with the potential to impact upon numerous heritage assets in the area. The site mainly consists of a large swathe of agricultural land of varying character and topography. The open nature of the land is an important element of the setting of both settlements. The proposed car park, bridge or playing fields (south) would not cause harm to any heritage assets, or their settings, in the locality. The amendments to the scheme have removed the areas of most concern to English Heritage. However, I recommend that the Local Planning Authority requires further information on the impact of the proposals upon the significance of heritage assets in the area.

English Heritage Advice

This is an extremely large site with the potential to impact upon numerous heritage assets in the area. English Heritage's statutory remit is to consider the impact of the proposals upon:

- the setting of the two conservation areas, Egglecliffe and Yarm;
- the setting of the scheduled Round Hill on the opposite side of the River Tees;
- the setting of the scheduled Yarm Bridge

The site mainly consists of a large swathe of agricultural land of varying character and topography. The open nature of the land is an important element of the setting of both settlements. It is noted that the proposal does not include provision for individual pitch fencing or lighting: the only

boundaries proposed are to delineate the extent of the two sites and would be planted to soften the edges. Any further fencing or the introduction of any lighting would have a significant detrimental impact upon the open, rural character of the land and thus the setting of the above heritage assets.

Car Park:

The proposed change of use of a disused haulage yard to public car park would not negatively affect the setting of Yarm Bridge nor the significance of the Egglecliffe Conservation Area.

Bridge across the River Tees:

The proposed bridge, linking the school and public footpath with the proposed Public Park and playing fields offers the opportunity for an exciting addition to the landscape. The proposed design is a simple curve in timber, which would weather down and develop an attractive patina. The vegetation proposed around the shoulders of the bridge is critical in reducing the visual impact of the ramped accesses.

Sports pavilion:

The scale and form of the proposed pavilion building has been amended in light of concerns expressed in response to the previous planning application. Whilst the building would sit within an area of mature vegetation, the siting, design and levels of light pollution need to be carefully considered.

Playing pitches:

This large area of almost flat land sits in the bend of the river and forms an open, rural setting to the Yarm Conservation Area to the North West and the scheduled Round Hill to the east. Yarm is significant as an outstanding example of a market town: characterised by a wide market place with burgage plots running away to the river at right angles to the main route. Principal buildings line the market place/High Street whilst buildings of lower status step down in scale towards the river. Despite more recent developments, the traditional grain of development in Yarm still follows this pattern although the grain in the south-east of the conservation area changes at the Yarm School site. The agricultural land to the east of Yarm makes an important contribution to the significance of the conservation area. The bend of the river tightly contains the settlement whilst later development has occurred along the key routes to the north and south. As proposed, with no fencing (save the planted boundary around the site) or lighting, in my opinion the playing fields would cause no harm to the setting of the conservation area. The open nature of the site would be retained and, whilst the character of the area would change from 'wild' to 'managed', this could change within its current agricultural use.

I note that the previously proposed pitches adjacent to Egglecliffe village have been removed from the proposal: this is a positive step.

Environmental Impact Assessment:

I note that a Built Heritage chapter has been added to the Environmental Statement (ES). However both this and the Archaeology section of the ES fall short of what is required by the Regulations.

These sections should:

clearly identify the location, nature and significance of heritage assets within the project area;

consider the contribution the setting makes to the significance of those assets; and

explain the direct, indirect, cumulative and compound effects of the project upon those assets and their settings.

It is important for the ES to assess and set out the significance of heritage assets. It is not sufficient to say that assets are significant because they are designated: they are designated because they are significant. Whilst the ES now refers to the two conservation areas and their setting it fails to assess the impact of the proposals upon the setting of the grade II Friarage building. The Council may take the view that this information is required in order for the Local Planning Authority to make an informed judgement on the environmental impacts of the proposals.

Recommendation

I recommend that the Local Planning Authority requires further information on the impact of the proposals upon the significance of heritage assets in the area. However, the amendments to the scheme have removed the areas of most concern to English Heritage.

It is not necessary to consult us again on this application.

Further correspondence dated 26th November 2012

I've been contacted by the agents for the above planning application who are concerned that I have not received all of the information in relation to the EIA. Having spoken to Neil Westwick at NLP, I have downloaded Appendix M2 - Above Ground Heritage Assessment (incidentally labelled as Appendix K2 on the Council's website). This assessment adds a considerable amount of information to that in the basic Built Heritage chapter.

The appendix sets out clearly each heritage asset and assesses the potential effects of the proposal upon those assets. I believe that NLP have accepted that the Friarage building (grade II listed) has been omitted and I do recommend that this is included in the assessment: the building was designed to look out over the fields to the east and south-east. Whilst the new school buildings have changed the view to the north-west, the architects specifically retained the outlook across the open fields as part of those negotiations.

I'll stress again the need for ESs to set out the significance of heritage assets - not just a description of the asset. Whilst the level of detail should be proportional to the asset's importance (NPPF para. 128), a basic statement of the asset's significance should be a minimum. Whilst I don't feel that significance has been set out for each asset, I do agree with their assessment of the impact upon the asset - which is reflected in the advice provided on the proposals as a whole. There is no need to consult us again on the application unless the proposals change.

78. Environmental Health Unit

Environmental Health wishes to object to the proposal. The reason is given below:

My primary concern relates to the nearest sports pitch to Denevale. The noise report submitted by QEM Environmental Consultants shows that this pitch will exceed our specified noise requirement. As such I have to object to the proposal as this one pitch is likely to generate legitimate complaints. I should note that the applicant is willing to accept a condition on the limitation of use of the nearest pitch to Denevale. The pitches will only be an 'overspill' and therefore used infrequently i.e. circa. 20 times a year maximum. However, after speaking with planning, this is a matter for the planning committee to decide if this is an appropriate form of noise mitigation.

From Environmental Health's perspective, I would have no objection to this application if the pitch was repositioned further away or removed.

Should the application be approved, I would ask that the following conditions are added.

Construction Noise

All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

Unexpected land contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works.

Further comments 27th November 2012

As the sports pitch in question has now been removed, EHU have no comments to make on this application.

79. Councillor Mrs M Rigg

I am a ward councillor for Eaglescliffe ward, a parish councillor for Egglecliffe Civil Parish (known as Egglecliffe & Eaglescliffe Council), and have been a resident of Eaglescliffe since 1978 and of this borough since 1945.

1. I strongly object to this application. This land is part of the Tees Heritage Park, a concept which is included in Stockton Borough Council's adopted Core Strategy at CS10 and is part of the Green Infrastructure of the borough described in the Green Infrastructure Strategy. A pamphlet on the Heritage Park published by SBC with the Friends of Tees Heritage Park describes it as "a

place of peace and quiet, away from the hustle and bustle of everyday life". To build sports pitches and a changing pavilion in this area would completely change its character. The noise of enthusiastic young people playing sport would destroy any tranquillity. A recent (17th Sept) press release by SBC includes the following: Doug Nicholson, Chair of the Friends of Tees Heritage Park, said: "It is wonderful to see a dream we had eight years ago now turned into reality. Tees Heritage Park is driven and supported by the community and we want it to be a haven for generations to enjoy our fantastic heritage and landscape." Councillor Ken Dixon, Stockton Council's Cabinet Member for Arts, Leisure and Culture, added: "The vision for Tees Heritage Park has been made possible by great partnership working and the commitment of the Friends of Tees Heritage Park. It is exciting to have the park officially launched for people to enjoy. The river is at the heart of Stockton and Tees Heritage Park is a celebration of our natural asset." Similarly, the latest edition of Stockton News rightly celebrates the opening of the first phase of gateway artworks and the huge grants attracted by the Heritage Park.

2. The presence of sports pitches with the associated noise would reduce the value of the area to wildlife. Currently there are numerous varieties of birds and small mammals as well as deer using the area. A significant number of the birds are in red and amber classifications according to the RSPB. The close mown nature of sports pitches would lead to a serious reduction in biodiversity.

3. There might be an argument for having a footbridge from Yarm to this part of the Teesdale Way open during daylight hours for the benefit of walkers, but its position would need to be very carefully thought through. At present it seems likely to have a detrimental impact on the amenity of residents of Minerva Mews. Windows in their living rooms would be less than 20m from the bridge, and although the relationship of a bridge and a living room window is not specified anywhere in SBC's Local development plan it seems reasonable to me to have a similar relationship to that described for houses and extensions as the people crossing the bridge would be able to look into those windows. The main users of the bridge, especially on Saturdays, would be young people going to and from the sports pitches and with the best will in the world it will be impossible for supervising teachers to prevent overlooking and loud noises. The bridge would also provide an easy getaway route for those who have engaged in antisocial or criminal behaviour in Yarm at night to disappear onto the unlit banks of the Tees and thence to Egglecliffe village or other parts of Egglecliffe. On balance I think that the problems outweigh the benefit to the general public.

4. The pavilion is now reduced in size and described as having "padding rooms", toilets and first aid areas as well as storage for grass cutters, line markers etc. This is an improvement but is still an intrusive building in a landscape devoid of such buildings for many many years.

5. The development is not essential to the ability of the school to carry on its excellent traditions. At its recent open morning for prospective parents no mention was made of needing to expand across the river in order to improve. An extension to the school facilities into the Tees Heritage Park is completely unjustified, bringing no benefit to the communities which have supported the development of the Heritage Park so far.

6. It might be acceptable to have an emergency access to the river bank through Egglecliffe village, indeed it could be argued that it already exists through one of the farm tracks leading in that direction. Emergency services are very good at using unsuitable accesses in genuine emergencies. However, to deliberately introduce sports which are prone to accidents seems perverse, given the narrow roads and tight corners in the village.

7. Construction traffic for the pitches, bridge landing and the pavilion would be heavier and larger than is suitable for a village of this nature, containing many old buildings and with the access road (Butts Lane) at times severely congested by traffic to the primary school. To say that large farm vehicles already access the village is disingenuous - they are not as heavy nor do they all utilise the access track which forms part of this application. They do not need to drive in and out as frequently as lorries removing spoil or delivering construction materials would, and the companies involved are aware of the problems in the village.

8. How will the owners prevent visiting teams, parents, and people wishing to walk in the new "parkland" from parking in the village? There is limited opportunity to put parking restrictions in place owing to the lack of in-curtilage parking for properties in the village. This problem has long been recognised in dealing with applications for extensions to housing, the possibility of building

houses on some of the farm land and in consideration of the possibility of extending the facilities of the village pub.

9. It is a long time since the haulage yard was used for haulage vehicles and since that time there has been a significant increase in car ownership and use. The increased use of the access onto Yarm Road from the proposed public parking would be dangerous. The tailback from Yarm High Street frequently passes this point and the junctions with Aislaby Rd and Urlay Nook Rd already lead to some difficulty in manoeuvres. It is also not clear to me who will use this parking as currently the area near the Blue Bell pub, slightly nearer to Yarm, is not fully used except when the pub is busy. If people don't use free parking now why would they pay to park slightly further away? There is no evidence that such a car park would be beneficial to Yarm or Eaglescliffe.

10. The proposed access for pedestrians and cycles into the "public park" from the car park will introduce a new activity into that area which is unsuitable for cycling at present. The damage that can be done by people using BMX and mountain bikes is significant. Quarry Wood in Preston Park had to be fenced off and have such activity banned because of the damage to tree roots and wildlife habitat caused by people enjoying their bikes in that area.

11. Is the council confident that any Section 106 money would be adequate to maintain the proposed footbridge for the expected lifetime of such a bridge?

In conclusion, I object to this proposal. It is designed to benefit the pupils of a private school who are drawn from a very wide catchment area, most not residents of Yarm and Eaglescliffe nor even of the borough of Stockton-on-Tees. The residents of the borough, present and future, would lose an irreplaceable piece of natural heritage, contrary to the Core Strategy of the council and the wishes of those residents for absolutely no gain whatsoever.

80. Councillor Phillip Dennis

As ward councillor for Eaglescliffe I would like to reaffirm my previous comments on this application on behalf of a great number of residents who have contacted me regarding its impact on this community. There are a number of themes that I would like to represent on behalf of my residents in this document, whilst reserving my right to be pre disposed and make further judgement upon this application if there are any changes to the material considerations. This area proposed to be used as sports pitches is part of the Tees Heritage Park. SBC and other stakeholders have worked with great determination over a prolonged period to develop the heritage park to preserve and enhance the environment for future generations, creating a mini national park in the heart of the borough. It forms a key part of Stockton Borough Council's Core Strategy at CS10 and is also a major part of the Green Infrastructure Strategy. The boundary treatment for these pitches will destroy the open character of the area, this is the most accessible area of natural countryside for many people in the borough and should be preserved as part of the heritage park as a heritage asset for future generations. The environmental impact on the area must not be discounted; there are a number of environmental considerations that cause concern: - The surroundings of this area are naturally quiet and tranquil, having visited the schools existing sports sites with a number of residents, I believe that the noise levels will cause an unnecessary disturbance to both residents and wildlife. The proposed site sits within a natural amphitheatre and therefore any increase in sound levels naturally percolates out and is amplified into the wider community in Yarm and Egglecliffe village, we are advised by the school that the pitches are used 6 days a week, having school playing field noise imposed on this area is wholly unacceptable and abhorrent to the residents in the locality. As the majority of the land is under agricultural use it is regularly ploughed and disturbed, this creates a sponge like quality to the ground that holds water long after any rain event. By creating such a large area of pitches this ability will be reduced by the hardening of the surface by constant use, and by mechanical means in the preparation of these pitches. The effect of this in extreme weather events will significantly increase the amount of water reaching the river quickly, and will increase the risk of the commercial centre of Yarm flooding. The addition of a sports pavilion on site also raises questions of drainage and pollution especially in respect of out flowing into the river, many species some rare, use the river as their habitat. This is a delicate habitat for many of these and small changes to the water quality will have a huge impact on the ecosystems that have developed and recovered since the Tees Barrage was completed. Traffic

and access is also a considerable concern for the residents of the area. The headmaster and representatives of the school cannot guarantee that all of the users of the site will use the proposed bridge access. This leads to the impact the site will have on Eggescliffe village which has one vehicular access point in and out. This access is on to a busy road "the A135" at a point where with 50 - 100 yards there has been recorded in the authority's own statistics a number of collisions due to a variety of reasons concerning the layout of the road network in this area. Also due to traffic reasons in Yarm High Street some parents may desire to use the village as a convenient drop off and pick up point for the main school. The access to the proposed car park is also of a particular concern, it will also have access to the A135 close to Yarm Bridge, where there is also a recorded history of accidents over a prolonged period. Despite the realignment of the renewed application the extra vehicles exiting this site we consider will still have a detrimental impact to the already considerable and recorded congestion in this area. The proposed footbridge also raised concerns centred around imposition of local residents and anti social behaviour. The height of the bridge will allow direct visibility into the homes of nearby residents; this is a loss of privacy that should not be imposed on this area. Also by providing a direct route into this open area will encourage activities of an unsavoury nature that can be associated with high time economy's of many town centre's. An off the record discussion with a local PCSO raises concerns of the local police being able to satisfactorily deal with issues in and around the sports pitches caused by anti social behaviour. This venture is not for the enjoyment of the general public, we have already asked the head if the sports pitches will be for the benefit of our own young people and community groups, the school has indicated quite vigorously that they are for the exclusive use of a small elite from a wide area. This school already has good sports facilities far better and bigger than many state run schools, they should not be allowed to desecrate a heritage asset in order to further their own financial gain at the detriment of a community that has little opportunity to use its services.

81. Natural England

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development, please refer to our letters 69114 (5 November 2012) and 63162 (11 September 2012).

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

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

Natural England's advice is as follows:

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 the following European protected species may be affected by this application: Bats, Great Crested Newts and Otters.

Our standing advice sheets for individual species provide advice to planners on deciding if there is a 'reasonable likelihood' of these species being present. They also provide advice on survey and mitigation requirements.

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

We have not assessed the survey for badgers, barn owls and breeding birds¹, water voles, widespread reptiles or white-clawed crayfish. These are all species protected by domestic

legislation and you should use our standing advice to assess the impact on these species.

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

Bats

We used the flowchart on page 10 of our Standing Advice Species Sheet: Bats beginning at box (i). Working through the flowchart we reached Box (iii), which advises the authority that “Permission could be granted (subject to other constraints)” and that the authority should “Consider requesting enhancements”.

Great Crested Newt

We used the flowchart on page 8 of our Standing Advice Species Sheet: Great crested newts beginning at box (i). Working through the flowchart we reached Box (viii), Box (viii) advises the

- authority to accept the findings and consider requesting biodiversity enhancements for great crested newts (for example creation of new water bodies and suitable terrestrial habitat) in accordance with PPS9 and Section 40 of the NERC Act.

Otters

We used the flowchart on page 5 of our Standing Advice Species Sheet: Otters beginning at box (i). Working through the flowchart we reached Box (x), which advises the authority that “Permission could be granted (subject to other constraints)” and that the authority should “Consider requesting enhancements”.

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

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

This advice is given to help the planning authority determine this planning application. On the basis of the information available to us with the planning application, Natural England is broadly satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts on the local population of Bats, Great Crested Newts and Otters and therefore avoid affecting favourable conservation status. It is for the local planning authority to establish whether the proposed development is likely to offend against Article 12(1) of the Habitats Directive, If this is the case then the planning authority should consider whether the proposal would be likely to be granted a licence. Natural England is unable to provide advice on individual cases until licence applications are received since these applications generally involve a much greater level of detail than is provided in planning applications. We have however produced guidance on the high-level principles we apply when considering licence applications. It should also be noted that the advice given at this stage by Natural England is not a guarantee that we will be able to issue a licence, since this will depend on the specific detail of the scheme submitted to us as part of the licence application.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust or other recording society such as Teesmouth Bird Club and a local landscape

1 Unless protected by Schedule 1 of the Wildlife & Countryside Act 1981 (as amended). characterization document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at Wildlife and Countryside link.

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided

advice2 on BAP and protected species and their consideration in the planning system. Natural England Standing Advice for Protected Species is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue at particular developments. This also sets out when, following receipt of survey information, the authority should undertake further consultation with Natural England.

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 "And 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'*

82. Campaign For The Protection OF Rural England

We have studied with care the above new application, but remain bitterly opposed.

It is quite clear from the response of the Chair of The Friends of Tees Heritage Park (FTHP) that the Applicants and their Agents took no account whatsoever, and had no conception of FTHP's aims and objectives, which are written into its constitution when they made this and the previous application. In fact, they have a fundamental misunderstanding of what the Park is all about. As you were previously advised in our response to the initial Application, the Friends of Tees Heritage Park grew out of CPRE Stockton Group. FTHP has been a brilliantly successful organisation. Acting with its partners Stockton Borough Council and Groundwork UK it has achieved miracles in getting the Heritage Park off the ground.

The very significant Lottery Grants with further awards likely, the commencement of the major Gateway Artworks designed with input from the local schools and the writing in of the Heritage Park into all future Plans for Stockton are bringing to fruition one of the most imaginative projects in which Stockton Council has ever been involved. In addition both the political and executive leadership of Stockton-on-Tees Borough Council have publicly supported the aims and objectives of the Heritage Park. You will be aware that a further initiative is underway in the form of River Tees Rediscovered, promoted by Groundwork UK, which incorporates the Heritage Park in a wider project for the Lower Tees Valley. A lottery bid was developed and submitted by a partnership of organisations and local authorities along the river including, and strongly supported by, Stockton Council. The response to date has been extremely positive and could lead to dramatically increased levels of funding. However, previous successes with the Lottery have been achieved on the basis of the Aims and Objectives of FTHP of which both the Lottery authorities and Stockton BC were aware. It is critical that nothing alters this.

We are thus astonished that this Application ever got beyond the conceptual stage, particularly since we have had it confirmed in writing from the Chief Executive "it is of course true that we remain firmly supportive of The Tees Heritage Park".

As recently as today, I received a copy of Stockton News 2012. Quite rightly, under the headline "A Dream to a Reality", Stockton Council is trumpeting the success of their partnership with FTHP and others with the launch of the first phase of the Park!

Were it to be approved, this Application would cut across everything that the Heritage Park stands for. I quote from a Stockton BC/FTHP leaflet "A place to enjoy our rich heritage, landscape and wildlife. A place of peace and quiet away from the hustle and bustle of everyday life". Noise, which would be inevitable, eventual light pollution which is also inevitable and a Sports/Viewing Pavilion are totally incompatible with these aims! As an example, I draw your attention to the totally unnecessary new proposed footpath, on the South West Boundary of Egglecliffe Conservation Village running up on to the high ground along the length of the village boundary,

very close to the existing properties. Sport England's recommendations are that such cycleway/footpaths have a bound surface, should be a minimum width and should also be lit. This route would be a duplication of the Teesdale Way. Sadly it is also a BMX/mountain bike or even worse, scrambler bike track in the making, and is totally at odds both with the Conservation Area Character Assessment of Egglecliffe Village and with the Heritage Park itself. To get an indication of the impact that major sports development has on an area, (lighting noise and traffic) I suggest you look at the Rugby/Sports complex at Norton.

The FTHP submission makes it crystal clear that this would be a wholly inappropriate development in the Tees Heritage Park

You will be aware that CS10 states: 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 ii) Tees Heritage Park. In addition it is protected both by the Tees Valley and Stockton-on-Tees' Green Infrastructure Policy, with boundaries agreed by Stockton-on-Tees Borough Council.

Yarm High Street has one of the liveliest street scenes in the North East of England. At present the Heritage Park sits comfortably with this entertainment area, with its concentration of licensed premises, because there is no access. To consider putting any additional bridge access across the river at this point, particularly when it would be open to a public, frequently involved in celebratory drinking, is a threat to the Park and a genuine risk to Public Health and Safety. I would suggest it is certainly not in the interests of school children and am surprised that the school has shown no concern over this matter! I would also refer you to the letter on your own on-line website from Margaret G Smith LLB, Cert.Ed of 11th November who owns property in Minerva Mews. She quotes precisely the experiences of residents in Barnard Castle to an almost identical Bridge situation. Even in its slightly modified position, the bridge still does not comply with the recommended minimum distance from the existing flats. Margaret Smith's experience suggests that a bridge would in fact be much more intrusive than a neighbouring property and this bridge problem should therefore be sufficient to reject the Application on its own!

In our view, misinformation has been given by the Applicants over enthusiasm of both the community and the Council over the building of bridges. As far back as 1997, Stockton Council, in its Local Plan has included two additional bridges over the River Tees in the Heritage Park area. The prime reason for these bridges was to take the Teesdale Way over to the other side of the River from where it ends its riverside position at Eaglescliffe Golf Course, then return it at Preston Park. It is ludicrous to suggest that a new bridge should be constructed, when an existing beautiful medieval bridge is within a few hundred yards and the next bridge (the Queen Elizabeth Bridge) is probably 3 miles away.

You will be aware of the two professional reports prepared on behalf of EARA. The first by SKTP addresses the construction, traffic and on-going impact the development would have on both the Park and Egglecliffe Conservation Village. Amongst a large number of very relevant issues raised, I would highlight that it is obvious that the access through the Conservation Village is, as described, virtually impossible both from a practical and legal viewpoint.

As regards the second report by Archeo-Environment Limited, we would draw your attention to the new NPPF Planning Guidance of which you are no doubt familiar and its relevance to Heritage issues. You will not dispute that the location, (a Heritage Park sandwiched between two Conservation areas) is incredibly sensitive. You will note in 21.00 line 6 and 22.0, the comparison with Durham City's world famous peninsula view and walk. I would maintain that the view (as detailed below) from the proposed new bridge site is of equal importance. In a town not over endowed with views of this quality, this importance is obvious. It is expanded upon in 25.0 through to 34.0, which states (quoting from the CACA) ".....the picturesque landscape in an almost too good to be true chocolate box way. It is essential that this land remains natural and is never "manicured" otherwise the idyllic character will be lost". In 35.0 it details concerns over the "formalisation of footpaths so that they become 2m wide surfaced adoptable routes and the DDA compliant ramps on the approach to the footbridge, will create fingers of suburbanisation which will creep into this rural landscape".

You will be aware that we have requested the opportunity to demonstrate, with our experts, many of the above points that we feel are self-evident, on site. We would welcome this opportunity and would endeavour to fit in with your requirements.

An additional environmental point: many experts feel that Playing Pitches are not conducive to biodiversity. Some feel they are barely better than concrete!

The Heritage Park has, towards either end, two outstanding areas. The first is its centrepiece - the magnificently restored Preston Hall and Park. This is the area that very successfully combines the natural beauty of the Hall's architecture, with its winter garden, walled garden and pleasure grounds together with its newly constructed and extremely popular Adventure Playground. Improved surface roads, walkways, car parks, cafes and museums and even possibly a skate boarding facility are wholly appropriate within its boundaries. Balancing this at the other end is the idyllic, natural tranquil area, over the River Tees with its swans and ducks, looking up from the back of Yarm High Street to the conservation village of Egglecliffe with its listed, highly graded St John's Church and many other listed buildings. To the west is the medieval bridge and Victorian viaduct and to the east, the valley opens up with the path of the Teesdale Way.

Both these areas complement each other: the leisure and educational facilities at Preston Park and the peaceful tranquil Yarm/Egglecliffe area which add hugely to the tourism offer quoted in CS10. Your Council acknowledges that the image of the Teesside area in general is a limiting factor in attracting new enterprises to Stockton and changing this perspective is a key objective of the Borough. Together with its repeated successes in Britain in Bloom, the Heritage Park, probably more than any other initiative, contradicts this mistaken image and it must therefore be protected at all costs. It is this inability to appreciate this natural area of the Tees Heritage Park that the Applicant totally fails to grasp. "Manicured public park" appearance is wholly inappropriate in this part of the Heritage Park.

The Council, to its credit, has already shown its commitment to the Heritage Park by protecting Preston Park from inappropriate development when it was proposed to place a school in its grounds. It has also discouraged wind turbines in the Heritage Park. We at CPRE have publicly praised this stance. We expect a similar level of protection to be shown to this key area.

The scale of the proposed development is still staggering. The effect would be that a private school would extend its boundaries and own and "privatise" a massive area of the accessible part of the Heritage Park. The principal aim of the Heritage Park is to create for the people of Stockton and its visitors, a mini national park. Huge areas would have to be fenced off as dogs and playing pitches are not compatible. The investment that would have been made by the School could only be justified if the pitches were heavily used. Sooner or later, from a safety point of view in the winter time if nothing else, lighting would have to be added. The scale is such that there would be extensive vehicular use that is almost totally absent at present. There would be pressure for the pupils to be transported from a time point of view, because of the distance from the school. The Sports Pavilion would require to be supplied, all of the grounds would require significant maintenance and emergency vehicles would also require access, all from Egglecliffe Conservation Village with its single track roads. Inevitably, whatever commitment was made, parents, friends and spectators would try to park in Egglecliffe Village, creating chaos in a village that currently has severe traffic problems at its school, rather than attempt to park in Yarm. Yarm School discourages parking within its grounds!

A River Tees Heritage Park has been an aspiration of Stockton on Tees Borough Council since the 1997 Local Plan was published. Working together, Stockton Council and FTHP have succeeded in making it a reality. It is this kind of joint approach that exemplifies what the government is trying to achieve with "the Big Society". Were this application to succeed it could destroy such partnerships in the future.

I believe that this Application has to stand or fall on its own merits. What the Applicants have to show is that they are entitled to expand the school into The Tees Heritage Park. We are certain that this land is totally inappropriate for such a project. The Applicants should seek a site, not in the citizens of Stockton's designated Heritage Park but in a Green Field location. Given that such a site already exists ie Green Lane, then that is the obvious location and solution to their problem! I am confident that, given Stockton Council's very public commitment to the Heritage Park, you will reject this totally inappropriate Application.

83. The Ramblers Association

1 We thank the council for consulting the Ramblers on the proposed development.

2 Our response is the same as that for the earlier application 12/1595/EIS. - the development is welcomed especially the footbridge and the dedication of new rights of way and tidying up of the Teesdale Way. These will be of benefit to Yarm and fit in with the council's and government's aims of reducing impediments to healthy exercise.

84. Sport England

The proposal is to construct new playing fields at land north of the River Tess, Yarm

Planning Policy Objective 2 of Sport England's Spatial Planning for Sport and Active Recreation: Development Control Guidance Note (2009) (Appendix 2) supports the development of new facilities that will secure opportunities to take part in sport. A copy can be found at:

www.sportengland.org/facilities_planning/developing_policies_for_sport.aspx

As the proposal would meet this objective, by providing new pitches that could help address established playing pitch deficiencies, Sport England supports this application in principle.

The scale of the proposed playing fields (whilst reduced) is still sufficient to replace the school's playing fields at Green Lane (as required by Sport England's playing field policy).

The application details describe that there will be no community use of the proposed pitches, with community access to the site limited to the footpaths at its periphery.

Sport England engages with the major pitch sport NGBs on proposals that affect or propose playing field. Both the Football Association and the Rugby Football Union have provided advice.

The RFU have advised;

Yarm School are currently a strong rugby playing school which take part in RFU competitions and offers support to local development programmes including a strong club-school link with Yarm RUFC. To continue to support this rugby offer we would support this planning application and seek to ensure the pitches are developed in line with RFU guidelines and comply with RFU pitch sizes.

Yarm RUFC is located within the town and we would welcome an opportunity for the club to be included in any discussions around community use. In line with RFU's National Facility Strategy and local CB facility plans Yarm RUFC has been mapped onto the 'People and Places Continuum' and have been identified as having a need for additional capacity for both matches and floodlit training provision.

The FA have advised Sport England that;

Playing Fields:

The plans currently show only one football pitch and there is no mention of community use of the facilities. This is particularly disappointing when the recently produced playing pitch strategy highlights the lack of junior football pitches within this area of Stockton and the need for secure community usage of school sites. Leven JFC in particular have been campaigning about the need for additional pitches for a long time and this development could make a difference to football if more pitch space was provided and opened up to the community. In addition a 90mx50m football pitch does not correlate with any of the FA recommended pitch sizes.

As with all new playing fields the FA would be keen to ensure that the pitches are developed to Sport England Natural Turf standards.

The FA cannot currently offer support for the project due to the issues highlighted above.

Following a summer when sport has captured and held the public's imagination, attention is now focusing on measures to secure a nationwide sporting legacy for future generations. Securing this legacy will require commitment, involvement and input from a range of sectors and groups if it is to have a chance of succeeding.

In this broad context, and in the light of the proven local need for junior football pitches, and additional capacity for local rugby pitch provision, Sport England urges the school to reconsider its policy of no community use and ensure that the Olympic and Paralympic legacy remains an inclusive one. Managed community use of the playing pitches will offer the school the opportunity to strengthen its ties and connections with the local community. Dependent on the clubs given access to the facility it might also enable the pupils to access coaching and club networks which might be beneficial to their development, and increase the chances of their continued participation in sport after leaving school.

There are also design details in the proposal that we wish to raise. The first area is in relation to the construction of the playing pitches.

In order to assess the suitability of the site to accommodate pitches, it will be important that the ground conditions and pitch specification to prepare the site as a playing field are given careful consideration. The preparation of new sports pitches will benefit from specialist consideration by sports turf consultants/agronomists due to the need to understand the implications of topography, soils, drainage, and surface preparation etc and to ensure the pitches are fit for purpose. Without this there is a risk that playing pitches will not meet needs because they will suffer from problems such as waterlogging and uneven surfaces. Consideration also needs to be given to matters such as soils, seeding, water supply depending on the ground conditions, and the standard of pitch to be provided.

Sport England recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification. The recommended scheme should then be implemented. Detailed guidance on the issues that require consideration is set out in Sport England's guidance 'Natural Turf for Sport', and the respective NGB's design guidance. A copy of the guidance can be found at;

http://www.sportengland.org/facilities_planning/design_and_cost_guidance/idoc.ashx?docid=8a0d3795-a4c0-413b-a455-394447b71af0&version=-1

<http://static.ecb.co.uk/files/ts4-ecb-groundsmanship-2011-1337.pdf>

Sport England recommends, that if the Council is minded to approve the application, the following planning conditions should be imposed.

1. *No development shall take place unless and until:*
 - a) *A detailed assessment of ground conditions of the land proposed for the new playing field land as shown on drawing no. SD-10.03 Rev F shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and*
 - b) *Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.*

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field.

Finally whilst the design of the pavilion is held over for reserved matters approval, the FA have made the following comments on the indicative design which the applicant should consider in finalising this aspect of the proposal;

- *Only two changing rooms are proposed to serve all of the pitches on site. This is not sufficient.*
- *Only one of the changing rooms has self contained toilets. There should also be separate spectator toilets for child protection reasons.*
- *We recommend 2 WC's in each team changing room to better serve dual gender usage. There seems to be a lot of wasted space within the lobby areas of the changing room where this could be accommodated.*
- *There should be two officials rooms to provide changing space for male and female officials. The officials rooms should also include a WC.*
- *We generally don't encourage spectator toilets and changing rooms to be located on the same corridor in order to avoid potential conflict and child protection issues. At present the officials room and male spectator toilets share the same corridor.*

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

85. Friends of Tees Heritage Park

Objection:-

1. Friends of Tees Heritage Park - achievements and aspirations
2. The proposed school extension, effect on the Heritage Park, Green Wedge
3. Appraisal of "benefits" offered to support application
Footbridge, public open space, footpaths, car park, summary
4. Other issues
Loss of farmland, landscape and scenery, wildlife/biodiversity, noise pollution
Egglescliffe Conservation Area, Tourism, Existing School Sports facilities
5. Future of Tees Heritage Park

1. Friends of Tees Heritage Park

The Friends of Tees Heritage Park was created by local communities along the Tees to protect and enhance the remaining open spaces along the river valleys between Yarm and Stockton. (www.fthp.org.uk). Working closely with Stockton Council, Groundwork NE, Tees Valley Wildlife Trust and other appropriate bodies, the Tees Heritage Park has been established as an integral part of Stockton Council's Core Strategy and Green Infrastructure Plan. Substantial funding (£600,000) has been achieved and Phase 1 of the Park is almost complete - including new/improved footpath and cycleway network, rest areas/artworks and new gateway features. A further £70,000 has been granted for next year to determine elements for the next phase and continue activities to promote and widen community engagement.

FTHP is also a partner in "River Tees Rediscovered" a project to regenerate the lower Tees Valley landscape between Piercebridge and the estuary based upon Heritage Lottery Funding. The

partnership has been granted funds to move to stage 2 of the process, which could lead to very significant funding being made available over coming years.

The success of funding to date and the potential for the future emphasises the ability of community led groups to not only influence their future well being, but to be able practically carry out physical works to this end. It is not necessary to compromise a vision for short term expedience and commercial opportunism. Our objections to the application have this very much in mind.

2. The Proposal

The application is for “eleven playing pitches for Yarm School” incorporating a pavilion. The school have made it clear that it the land will be for their exclusive use. It will be fenced off and used intensively by the school for at least six days a week, particularly on Saturday. In our view this is clearly an extension to the school and should be considered as such. The application also includes provision of a new footbridge to access the playing pitches, which will be open to the public, a car park for long stay parking, public open space below Egglecliffe and improved footpath access to the Tees Heritage Park.

The school accept that the playing pitches are not essential to the school’s future, having just invested millions improving the school building based on the existing playing field provision, but would be “highly desirable”. Their argument is that the public benefits on offer outweigh concerns regarding the school extension. Our objection challenges this supposition as a fundamental misunderstanding of the communities’ aspirations for this land.

3. Effect on Tees Heritage Park

FTHP believes that the proposed extension will have a critically damaging affect on this part of the Tees Heritage Park. The intensive school activity will destroy what the communities have sort so long to achieve - a place to enjoy some peace and quiet to appreciate our local heritage, landscape and environment. Landscape screening of the boundaries will not be effective to mitigate the intense and noisy nature of extensive school sporting activities and will be at odds with the open rural nature of the current farmland. Servicing and maintenance will mean regular machine access, noise and disruption. Participants and spectators will transform a tranquil setting into a busy school venue, particularly on weekends - totally at odds with the relaxing and tranquil recreational use envisaged for the Heritage Park. Phase 1 of the Park had already demonstrated how popular the latter is with the community.

Stockton Council was fully supportive of the FTHP initiative and the Heritage Park was included in the Core Strategy approved following public consultation and Public Inquiry, in 2010. The Park is referred to as one of two special areas in Stockton (CS10) where the Council would support initiatives to improve the quality of the environment having regard to strengthening habitat networks, the robustness of designated wildlife sites, the tourist offer and biodiversity. The Tees Heritage Park encompasses all these objectives and the proposed development is in direct conflict with all of these aims. It seems to FTHP that the application fails to grasp the ethos and scale of the Heritage Park and the communities’ ambitions for its future.

Should the application be approved it will undermine all of the hard work and commitment of local communities to the Tees Heritage Park and what has already been achieved.

Green Wedge considerations

The lands are currently designated as Green Wedge in Stockton Council’s Local Plan, but this zoning was primarily to maintain the green open space and could not recognise the particular character of the river valleys and their special role encapsulating the local heritage and natural environment. This could only be successfully achieved by treating the lands as an entity, granting it a special status within future planning policies - this would also be a major benefit in delivering funding opportunities.

Stockton Council have also recognised the limits of green wedge protection following consultations on the Regeneration and Development Plan Document - Preferred Options completed in Sept 2012, which included the option that “Green Wedges were to be removed from the limits to development thereby strengthening their protection from development”. Subsequently in their draft

Strategic Policy a number of uses were identified which might be appropriate in Green Wedge, which did not include school use, and that any proposals should not be at odds with the function of the Green Wedge. A major school activity would clearly be incompatible with the intent of protecting the open space character.

3 Appraisal of proposed "Benefits"

In addition to the school extension, the application includes proposals which are perceived to be beneficial to the Tees Heritage Park and local communities. There was no consultation with FTHP prior to the submission of the original application and to our knowledge no local community groups or residents were contacted. It was only following massive adverse reaction to the first submission that FTHP and local groups were approached. As a result the first application was withdrawn and the current proposals submitted in the light of the wide ranging concerns expressed. FTHP's comments are based purely on the current submission and the value of the proposed "benefits" to the Tees Heritage Park are assessed objectively.

The Footbridge.

From its formation FTHP has looked comprehensively at the Park area including how to make it more accessible and improve people movement within its 2000 acres, which has been demonstrated in Phase 1. Additional river crossings (ferry or bridge) have been investigated and three potential crossing points have been suggested to enable continuous footpath/cycleway movement along the banks - linked to and strengthened by a wider pedestrian network incorporated in the Council's Green Infrastructure proposals. An additional crossing at Yarm was deemed unnecessary as this need is serviced by Yarm bridge. particularly appropriate because of its importance in the area's rich heritage.

A new gateway sculpture is shortly to be erected close to the bridge and Teesdale Way, announcing this particular entrance into the Heritage Park, from Lottery Funding so far achieved. Consideration is presently being given to enhancing this access and improving this section of the Teesdale Way to enable walkers and cyclist to use all the year round. FTHP are confident that funding would be achieved - one possibility could be through the River Tees Rediscovered project, which is seeking to improve the whole of the Lower Tees river valley. It is also very important that new and improved links within the Heritage Park are in keeping with the natural river settings, something which is already under discussion with Stockton Council River User Group. The Yarm and Egglecliffe banks will require a particularly sensitive approach and it is hard to see how this can be achieved if the proposed bridge is built.

We therefore see no significant benefit from a further bridge to the Heritage Park from Yarm, its value denigrated because of drastic change of character resulting from the school extension dominating this part of the Park. It's also worth noting that the proposed bridge from the existing school grounds is roughly the same walking distance from the middle of Yarm Street as Yarm Bridge and could not be argued to be more beneficial in terms of convenience. The school has indicated that the bridge will be maintained by Stockton Council, which presumably means the approach footpaths and cycle ways would have to be of adoptable standard and not in keeping with the more site sensitive design so far achieved within the Heritage Park. An additional concern is the limited height of the bridge, which would prevent sailing boats passing underneath, without dropping their masts - thereby preventing the spectacle of uninhibited sail boat activity in this stretch of the river.

FTHP are of the opinion that the bridge is unnecessary for the long term success of the Park and any arguable benefits would be totally negated by the unwelcome intrusion of an intense school activity in one of the Heritage Park's most attractive sections.

Provision of Public Open Space and footpath/cycleways

The communities support for the Tees Heritage Park and the funding achieved to date has been based upon a very clear mandate as contained in the Constitution of FTHP.

"To encourage and promote the protection, enhancement and recreational use of the River Tees, its tributaries and adjoining lands. Having particular regard for the heritage, landscape and wildlife characteristics of the area and the tranquil, natural environment"

It is the nature and character of the open spaces in the river valley which is so important to the long term success and recognition of the Tees Heritage Park as an entity. It has been made overwhelmingly clear to FTHP from communities around the Heritage Park, that given the choice

they would prefer the lands to retain their current character rather than be compromised to provide more public access. Ideally they would like to see both, which is what FTHP, community groups and River Tees Rediscovered will seek to achieve.

The approach into the Heritage Park via the Teesdale Way between Yarm and Egglecliffe is quite special. Coming from the west, the path enters Yarm under the historic railway viaduct, passes the medieval bridge and follows the river below Egglecliffe Church, perched on the hilltop above. The landscape then opens up quite dramatically turning into the wide open valley of farmland and woodland.

The views from the Teesdale Way up towards the church and then onto the open farmland are unexpected in this heavily built up area. Viewed from the Yarm riverside, the lands are a reminder of how close nature is and farming so much part of the local Heritage. The application proposes to turn the area into a more manicured landscape, reminiscent of a town park with multiple pathways and cycle routes circling the land. This is proposed as a community benefit and yet the local communities are unanimously opposed - they and FTHP believe that there is a unique opportunity to look beyond a fairly standard public park response and maintain the vision for something more special recognising the special character of this part of the Heritage Park. FTHP are very much in favour of providing better access and opening up more areas to the public as we have done in Phase 1, but not if the appearance and activity proposed undermines the basis on which the Heritage Park has been established.

The application refers to providing a circular walk around between the proposed bridge and the existing. FTHP agree that this would provide a pleasant and convenient walk around both sides of the river linking in to the Heritage Park via the Teesdale Way. However the benefits are mitigated to a degree by what is presently available. There is already a circular walk from Yarm using existing public footpaths through the charming village of Egglecliffe and down to the Tees north of the Leven mouth and back to the bridge along the Teesdale Way. FTHP would welcome the opportunity to work with local communities and landowners to improve this walk as part of a Heritage Trail - a number of which are being planned within the wider Heritage Park.

There are also proposals to provide more footpaths across the now retained farmland to the north of the school extension associated with replanting of extant hedgerows. In normal circumstance FTHP would welcome such a proposal. However, the "benefit" would be at the expense of turning a large area of adjoining farmland into school use, generating constant noise and everyday activity, and which would negate any nearby improvements intended to enhance the Heritage Park

The car park proposal

It is our understanding that the car park is for long term parking and would therefore be of no benefit for visitors to the Heritage Park. However, it does confirm that the location across Yarm Bridge is viewed as an acceptable distance from Yarm High Street to walk as FTHP believe in terms of accessing this particular gateway into the Park.

Overview on proposed benefits to the Tees Heritage Park

Having carefully considered the proposals in the light of FTHP's aspirations and remit for the future of the Heritage Park, it is felt that the benefits proposed are arguable and insufficient (in some cases inappropriate) to outweigh our fundamental opposition to the school proposal. We are also aware that local communities do not see the proposals as beneficial in any way and are actively opposing the application. We are convinced that much more appropriate and wider reaching community benefits can be achieved through the mechanisms of the Tees Heritage Park and initiatives such as River Tees Rediscovered. There is so much to lose and so little to gain from these proposals.

4 Other Issues

Heritage

The Tees Heritage Park seeks to identify and celebrate our local history and landscape. Yarm and Egglecliffe provide the "anchor" at the southern end of the Park and are two of the most important historic settlements in the Tees Valley generally. Their setting and historical content are critical elements in developing the Park's identity and function, and assisting future funding opportunities. Rediscover Stockton and River Tees Rediscovered are indications of the public's growing enthusiasm to learn more about their heritage and have pride in where they belong. The Yarm and

Egglescliffe river frontages and the associated farmland still retain strong characteristics and names from the past - True Lover's Walk, Stoney Path, the Friarage, Devil Hill etc, have their origins in local history reflecting our fascinating past.

FTHP looks forward to working with local communities and Stockton Council to highlight and explore local heritage features and incorporate them into a living Heritage Park. The application does not address these issues in this context and in our view the proposal would simply obliterate a highly significant chunk of our heritage forever.

Loss of farmland

The land forms a substantial part of active farmland bounded on the south by the river Tees and the Teesdale Way, on the northern boundary the ancient village of Egglescliffe, where the farm buildings are situated. It is a unique and wonderful example of the area's rural past and a reminder of the Tees valley's rich agricultural history. The seasonal activities of planting, growing, harvesting and ploughing offers direct contact with farming and nature, located on the doorstep of thousands of local people. Communities are increasingly seeking to connect with the natural world and their heritage.

Landscape and scenery

The Farm is an integral part of the Heritage Park in terms of the landscape. The lands on the opposite side of Tees north of its junction with the river Leven form are also within the Heritage Park and include the ancient monument of Round Hill an early Norman motte and bailey castle. The views from the top of the motte encompass the whole of the river valley from Yarm to Egglescliffe Golf Course and the farming landscape is a crucial element in the scene. Agreements are in place for these lands at Round Hill to be transferred to the Council providing a magical place to view this part of the Tees Valley. The proposed school sports complex would be totally incompatible with this view of the natural and heritage landscape.

Wildlife/Biodiversity

Apart from the activities and landscape, the loss of the farmland would have far reaching dire consequences for wildlife of all varieties. A natural balance between the land and wildlife has been achieved over the centuries and this is being encouraged in the Heritage Park with ongoing funding. Playing fields, contrived parkland and a pavilion at the heart of it would devastate this delicate balance.

Noise pollution

This section of the river valley is like a huge auditorium and even low noise travels long distances. This is further exacerbated by the presence of the wide river - normal conversations can be heard hundreds of yards away. Whilst games are in progress on the playing fields the noise would be intolerable for those seeking to enjoy the peace and quiet of a natural environment. Local residents would be affected and the Teesdale walkers would be in the front line. Once again, totally incompatible with the aims and objectives of the Heritage Park as a place to find peace and quiet away from the hustle and bustle of everyday life.

Egglescliffe Conservation Area

Conservation Areas are not just about groups of buildings, their setting and relationship to the surroundings are equally important factors. The synergy between Egglescliffe, the river and the adjoining farmland is fundamental to the well being of the Conservation Area. The replacement of nearby farmland with extensive sports facilities will destroy that synergy forever and impact on the Heritage Park which seeks to strengthen the links in the areas history and heritage. This synergy was recognised and documented by Stockton Council when the Conservation Area was declared. Also the setting of the village when viewed from the river valley and Teesdale Way linking naturally with the river and the rural landscape will be lost to the detriment of all seeking to enjoy this part of the Heritage Park

Tourism

The area around Teesside is renowned for its beauty and attracts visitors for its natural unspoilt character. The lower Tees valley has traditionally had a very different image associated with its industrial past. However this is changing and initiatives such as the Tees Heritage Park seek to renew pride in the river and its environs and change the historic perception of the valley. In addition "The River Tees Rediscovered" project has received a stage one pass by Heritage Lottery Fund, which will develop a stage 2 delivery programme worth £1.9m. The bid was developed and

submitted by a Partnership of interested organisations along the river. Both initiatives emphasise the inherent beauty of the lands alongside the Tees and their association with the area's heritage. The river itself is being increasingly used and Stockton Council has stimulated this activity through the River Users Group. The variety of landscape between Yarm and Stockton is very distinctive, from the wetland nature reserves down river to the rural, farming character of the application site. Trips along the river are already popular and there are plans to increase access and provide more facilities to help the communities and visitors enjoy the river environment, including river taxis. The loss of a substantial area of farmland and its replacement with a major sports and playing field complex would dramatically alter the character of this stretch on the river valley and undermine the efforts currently underway to highlight the heritage landscape as a tourist destination

Existing Sports Facilities

Yarm School already has substantial, established playing fields a short walk from the school (similar in distance to some shown on the application) where there is potential for expansion.

5 The Future of the Tees Heritage Park

The Tees Heritage Park has so far proved to be a success. The partnership between Stockton Council, FTHP, Tees Valley Wildlife Trust, Groundwork North East and the local communities has led to significant Lottery Funding and more is in the pipeline. We have appreciated the support throughout from Stockton and hope that this submission will help support them in refusing the application.

There has been tremendous enthusiasm for the Heritage Park Project, generated even more by the recent threats to develop parts of it. Working with the Council, local communities and initiatives such as River Tees Rediscovered, FTHP are convinced that there is much more to be achieved and that the Heritage Park could have a major impact on local and national perception of our area. There is no need whatsoever to rely upon Planning Gain at the expense of compromising the vision. We are all therefore deeply, deeply concerned at what might happen to morale and future funding if applications such as this are approved

86. Head of Technical Services

General Summary

The development is considered acceptable in principle from a landscape and visual viewpoint.

Whilst the area is considered to be a unique high quality landscape, it is considered that with the landscape mitigation provided the elements of the scheme, notably the proposed playing pitches and pavilion building can be accommodated successfully into this landscape.

A concern was previously raised by Technical Services that the design of the bridge may adversely impact on the high quality trees on the Yarm School side of the River Tees. However, additional information has been provided to address these concerns.

There are no highway objections in principle to the development subject to conditions being applied if planning permission is granted.

Highways Comments

Access for Emergency / Maintenance Vehicles

An access track to the sports pitches for emergency and maintenance vehicles would be required. The proposals utilise an existing farm track accessed from Eggescliffe Village. The transport assessment states that this would generate an average of 3 to 4 maintenance vehicle trips per week, which is similar to the current agricultural use.

The track would be gated to prevent visitors to the playing pitches using the access. This needs to be conditioned should planning approval be granted. The access restrictions also need to ensure

that pedestrians are not able to use this track to prevent parents from parking in Eggescliffe Village and walking to the sports pitches. There are no suitable parking areas in Eggescliffe Village to accommodate any additional demand that this development could bring. This needs to be set out in the Car Parking Management Plan which needs to be included in an updated Travel Plan for the School and reviewed by the Council's sustainable travel officer. The applicant has provided assurance that the access from Eggescliffe would be secured by a gate that would be designed to restrict the access of both vehicles and pedestrians. Appropriate signage would also be applied.

Subject to suitable restrictions being put in place to prevent unauthorised access there are no objections in principle to the use of this track for emergency and maintenance vehicle access only.

The assessment concludes that as the sports pitches are for the sole use of Yarm School they would not generate any additional vehicle trips on the road network. It also notes that all vehicular trips associated with the pitches would be focussed on the school and therefore no school traffic would use Eggescliffe Village. It is assumed that activity associated with the sports pitches would be relative to existing activities (on Green Lane) and there are no proposals to use the sports pitches outside school hours. However, the applicant has not yet confirmed how this will be assured and this should be set out in a Car Parking Management Plan to ensure that there is no parking demand associated with the sports pitches displaced into Eggescliffe Village or Yarm High Street.

Footbridge

A footbridge is proposed which would connect Yarm School to the playing fields and provide public access from Yarm High Street to the Teesdale Way and the proposed public car at the northern tip of the site. The new footway / cycleway to adoptable standards from the bridge to the proposed public car park would follow a different route to the existing riverside footpath. This would create a new circulate route allowing walkers to follow a short loop from the new footbridge along the Teesdale Way.

The bridge connects to Yarm High Street via an existing Public Right of Way (PRoW) at Atlas Wynd. Atlas Wynd is promoted on the Stockton Cycle Map as an advisory cycle route.

The existing PRoW at Atlas Wynd is too narrow to accommodate a cycle link to the proposed bridge across the River – an improved route to the bridge would further encourage people to use this route, therefore assisting the sustainability of the playing fields site and the wider area.

Drawing SD.20.02 Revision M shows a bridge alignment which provides sufficient space to provide an acceptable width route to the bridge. If approved, a condition should be put on this development, requiring that the route from the bridge to Atlas Wynd is increased to a minimum width of 2.5m prior to the bridge and playing fields/pavilion coming into use.

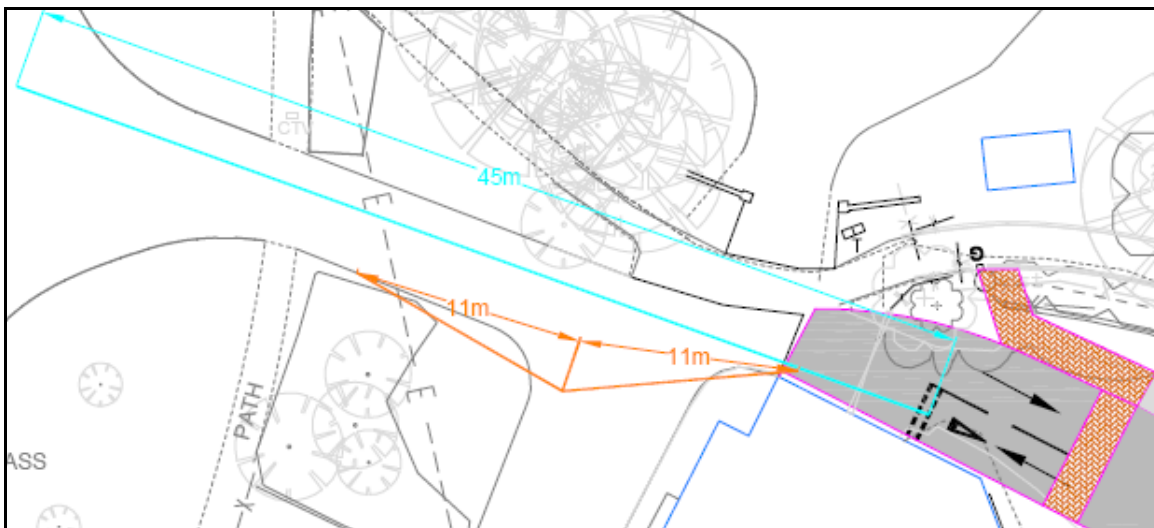
This would provide an essential cycle link to ensure the sustainability of not only the public open space adjacent to the proposed playing fields, but will also provide a sustainable travel link between Eggescliffe and Yarm, avoiding the busy High Street.

Whilst the revised bridge alignment (Drawing SD.20.02 Revision M) is acceptable it should be noted that the Head of Technical Services identified a preferred alignment of the bridge which would have the access ramp running parallel to the PRoW with the access point to the bridge being at its entrance from Atlas Wynd. This would provide a more direct route to and from the High Street as well as moving the access point away from the rear of the properties on Atlas Wynd. This would also remove the need to widen a route along the PRoW and also move the access point away from the mature trees.

Public car park

The car park would provide 34 long-stay parking spaces. Access to the car park would be via an existing junction onto the A67/Urlay Nook Road. It is understood that access into the car park requires access across third party land and arrangements would need to be agreed prior to construction commencing on site.

The car park would provide one-way circulation and given the narrow access into the car park, give way markings are proposed at the access to minimise conflict between vehicles entering and leaving. The view from the access is restricted by a building and the access is narrow which could result in conflicting vehicle movements. A plan showing the forward visibility of drivers at the give-way line has been provided and an extract is shown overleaf. The visibility splay shows the access in the wider context e.g. with the access road and access to other car parks shown. This drawing illustrates that a driver exiting the car park is able to see to the A67/Urlay Nook Road and should therefore have an unobstructed view of incoming vehicles. As vehicles entering the car park should be given priority (to prevent vehicles from queuing back onto the public highway) a sign should be provided within the car park to reiterate that vehicles exiting should give-way to incoming vehicles.



It is proposed that the car park is open between the hours of 07:00 and 19:30 and a barrier would be put in place at the entrance to restrict use outside of these times for the benefit of residents in the adjoining apartment block. If vehicles get locked within the car park after 19:30 a release telephone number would be provided and a fee charged for the release. Information regarding the times of operation of the car park would therefore need to be made clear to users of the facility. Consideration should also be given to prevent car parking overnight as visitors may use the car park for secure overnight parking. The applicant proposes to do this through signage and the imposition of a prohibitive fee. The details of the car park management proposals and barrier should be secured by condition.

Access to all users (including disabled) should be available from the car park to the High Street. Any restrictions put in place at the car park entrance (e.g. barrier) should not block access. A revised drawing has been submitted of the car park which shows a link to the PRoW from the car park entrance. This ensures that pedestrians have a segregated route past the vehicular access and is acceptable. The revised plan also demonstrates that two disabled spaces can be accommodated within the car park.

At the eastern boundary the car park provides a pedestrian / cycle connection which would link the car park to the Teesdale Way and the new bridge via a new footway / cycleway. This connection

has been sought to link the new footway / cycle way into the alignment of the existing PRoW to the north of the car park as there were concerns that routing all pedestrians and cyclists through the car park could result in conflicting pedestrian / cycle movements. A link to the existing PRoW to the north provides a connection that avoids all pedestrians and cyclists from travelling through the car park. The applicant has confirmed that they would add this connection to the existing PRoW (as shown on the plans overleaf) and the development should fund the extension and widening of the existing PRoW as required.



Sports Pitch Car Park Management Plan / Travel Plan

The transport assessment states that Yarm School would prepare and implement a Sports Car Park Management Plan to describe how parking for the sports pitches would be managed, including if any large sporting events are held. The principles of the Car Park Management Plan have been outlined by the applicant as follows:

Pupils would arrive and change at Yarm School and return to the school to get changed and have post match refreshments; and

The management plan would ensure that Yarm School would be the focus for events and all cars for sports events would be advised to park within the school site which has 250 spaces.

Details within the Plan would include:

Information that would be sent in advance to any visiting schools about parking arrangements;
 Information for parents that outlines that pupils must be dropped off / picked up from within the School; and

Details of signage and stewarding to control traffic and parking for major events.

This should be incorporated within the existing School Travel Plan and should be submitted and reviewed by the appropriate Council officer. This requirement should be a condition if planning be approved.

Construction Management Plan

The initial Construction Management Plan that was submitted was lacking details and further information was requested to ascertain the transport impacts.

The following programme of works has subsequently been provided by the applicant:
3 – 6 months: site preparation, soil movement and advanced planting;
12 – 18 months: playing pitch area left to settle and for planting to establish;
3 – 4 months: bridge and pavilion construction, anticipated to occur during pitch settling period.

It is anticipated that the bridge and pavilion construction would incur the greatest volume of heavy goods traffic and as this is programmed to last up to 4 months, it is acknowledged that the impact would be temporary. The Construction Management Plan, which should be provided as a condition of development and approved prior to construction commencing on site, needs to identify suitable measures to mitigate as far as reasonably possible against any temporary adverse impacts.

Further clarification was requested regarding the anticipated number of construction workers on site during the construction programme and details of measures that could be put in place to minimise the traffic impact associated with the addition of construction workers in the area (e.g. cycle parking / car sharing / shuttle bus if required). The applicant notes that initial discussions with contractors has indicated that approximately 20 site operatives would be on-site at any one time. Site operatives would be advised to park within the area proposed to be developed for the public car park. It is noted that when the car park is being resurfaced, all operatives would be picked up from a designated parking area (outside of Yarm) and taken to the site by mini-bus. Clarification is required as to where this location would be to ensure the parking demand in this off-site location can be accommodated. The Construction Management Plan should also ensure the public car park is constructed early in the programme to ensure it can be used by operatives for the remainder of the construction period.

A key issue for this application is that the construction of the pavilion and sports pitches could result in vehicles parking in Egglecliffe Village / HGVs travelling through the village. The TA forecasts that during construction there would be a maximum of 10 HGV movements per day (5 in / 5 out).

HGV access should be restricted to outside peak hours – the Construction Management Plan proposes 9:30am – 3pm Monday to Friday and between 9am -2pm on a Saturday with no access on Sunday's or Public Holidays. These HGV access time restrictions should be put in place as part of the Construction Management Plan to be conditioned if planning approval is granted.

The initial review of the development proposals recommended that construction should not be permitted at all on weekends, given the congestion through Yarm on a Saturday. It was noted that the addition of construction workers in the Yarm area would inevitably result in greater demand on the High Street which should be minimised outside the existing known peak periods. The applicant is proposing construction working hours of Monday to Friday 8am – 6pm but requests that weekend working be permitted, subject to prior written approval by the Council. This is considered to be acceptable and allows the Council to consider weekend working requests on a more informed basis once construction commences.

Details were requested regarding construction of the bridge and how construction vehicles would access the west side of the bridge, assuming construction access would be required at some stage. The applicant notes that the bridge would be constructed by crane and river barge. It is suggested that there is a 5 metre access strip on the Yarm School side of the river which would allow vehicular access to the landing point of the bridge. Plans should be provided within the Construction Management Plan which clarify that this location is accessible for a construction vehicle without blocking the public highway. The Plan should also clarify whether construction of the bridge would impact upon the operation of the High Street and consideration should be given to working outside peak hours (and would be subject to prior written approval of the Council if outside the agreed workings hours identified in the Construction Management Plan).

The site compound would need to be suitably located for both the sports pitches and the bridge but must be located to ensure it discourages parking in Egglecliffe Village.

Highways Summary

To summarise, there are no highway objections in principle to the development but the following requirements / planning conditions are required if planning permission is granted:

The submission and agreement of a Car Park Management Plan (linked to the School Travel Plan) and associated measures by condition to discourage parking within Egglecliffe Village;

Details of the gated access and signage to prevent unauthorised vehicle and pedestrian access from Egglecliffe to the playing pitches and pavilion;

Details of the car park management proposals and proposed barrier to restrict use of the car park to permitted hours only should be submitted and the requirement for this information should be secured by condition;

The development is required to connect to existing Public Rights of Way and the connection / improvements to any right of way should be provided in accordance with Council specifications; and

A Construction Management Plan should be provided and approved by the Council before construction commences on site. This should include details of off-site construction staff parking proposals, access proposals, traffic management proposals, confirm hours of construction and propose appropriate mitigation measures.

Landscape & Visual Comments

Landscape Character

The site is described in the Stockton Borough Council Landscape Character Assessment as an area of high to medium landscape and visual sensitivity with a low capacity for appropriate development.

The 2008 Stockton Council Open space audit describes the site as having a unique/irreplaceable informal landscape with good visual amenity.

It forms part of the River Tees Corridor Character Area as described in the Stockton Borough Council Landscape Character Assessment identified as river corridor dominated green space with a flat valley plain and sloping valley sides up to Egglecliffe village.

Much of the land is managed as a large open arable field on the eastern and southern sections of the site, but the area to the north west gives way to a more parkland feel with informal groups of trees and rough grassland crossed by informal paths and tracks. The northern edge of the arable field rises gently up hill to more elevated ground just south east of Egglecliffe and is formed of smaller fields used for livestock that gradually give way to agricultural and residential buildings forming Egglecliffe village itself.

The area is designated as Green Wedge separating the settlements of Egglecliffe and Yarm and is listed as a Special Landscape Area on account of its unique landscape character.

Part of the Egglecliffe Conservation Area falls within the northern edges of the site. The area is also important for informal recreation containing the Teesdale Way, a long distance footpath and is designated as part of the proposed Tees Heritage Park. There are also permissive access rights for fisherman on the site.

Existing Views of the site

There are be important views of the site from The Teesdale Way that follows the northern edge of River Tees on the southern boundaries of the site and this is the only public right of way on the site.

From the southern part of the site long open views are afforded across the arable land to the north. Views to the south, east and west are partly screened by riverside trees but views are often gained through the trees to the houses on the opposite bank. Long distance views of the site are available from the Roundhill area of Ingleby Barwick some 1 km away.

The views from the north west of the site looking east on the Teesdale Way are broken up by scattered trees and small plantations. There are, however, important views of Yarm Bridge and the railway viaduct and open views across the River Tees to the opposite bank.

There are views into the site from Yarm itself although many of these filtered by intervening buildings and vegetation on the southern river bank known as the Rookery.

Proposed works

The development proposal is for 10 number formal sports pitches for Yarm School providing facilities for 9 rugby pitches (4 large and 5 small), 1 football pitch, and a training area in the autumn/spring season and an athletics track, 1 senior and 2 junior cricket pitches and 3 rounder's pitches (with 2 smaller training pitches) in the summer season. The summer pitches would overlay the Autumn/Spring pitches. The pitches are proposed on the southern most part of the site on the bend of the River Tees. It is understood that no flood lighting is proposed for the pitches. An area of land is also proposed for community usage/public green space although at this stage the function and management of this area is not yet established.

A new pedestrian bridge is proposed to link Yarm to the site via footpath 17 (Yarm) with two river pontoons, together with a small pavilion building, which is also proposed overlooking the playing fields. A new car park is proposed in the North West corner of the site near Yarm Road.

Landscape and visual impact of proposals

The foremost landscape and visual impacts arising from the development would result from

A change from a largely agricultural area to a recreational one on the southern part of the site;

The creation of new buildings and structures within the landscape notably the pavilion and the bridge and new access tracks and paths;

The introduction of formal hedgerows into an informal open landscape.

It is considered that in order to preserve the special and unique rural landscape character of this area and the historic conservation values of Egglecliffe village only low key built elements would be acceptable in the landscape. This is demonstrated by the Stockton Borough Council Landscape Character Assessment stating that the area has a high to medium landscape and visual sensitivity only allowing for development of a low capacity.

A series of photomontages have been produced as part of the applications landscape and visual assessment so that the impact of the various parts of the development can be considered.

View 1 and View 4 illustrate views of the proposed footbridge linking Yarm to the site from both the Teesdale Way and the public footpath on the Yarm side of the river. This bridge would introduce a new permanent built element on to the edge of a rural landscape. The bridge is designed to be low profile in character to reduce its visual impact by being timber clad with a gentle arch.

Whilst the application has not considered impact on views from the properties on Atlas Wynd towards the proposed bridge it has been considered as part of the visual assessment. The potential impact has been considered to be significant but locally adverse. The changes in the current view would not only be the visual impact of the bridge itself but also the creation of a new access route over the bridge and the playing fields. The potential of the impact on the residential amenity of the residents associated with this bridge has not been considered as part of this landscape and visual assessment.

View 2 is taken from the Teesdale Way looking north toward the new playing pitches on the bend of the River Tees with distant views of the footbridge also seen, although these are softened by existing trees. Whilst the pavilion building would be backgrounded by the existing trees it introduces a built element into the rural landscape which is currently free of built structures. It is, however, traditional in style similar to an agricultural barn with a low pitched roof and single floor suiting its rural location. Views of this building would be softened by new tree planting in the new hedge.

The most visible element in this view would be the goal posts introducing a new sports element into the landscape. Remodelling for the pitches in this area should be minimal as the farmland is already relatively flat and open in nature, but further details on levels and access routes would be required to demonstrate that the proposed changes are minimal. Fencing around the pitches is proposed to be timber post and rail and this enclosure with proposed hedging is proposed to be traditional in character with a perceived low visual impact.

With the inclusion of the new hedges (including hedgerow trees) it is considered that the provision of the playing pitches and pavilion building would have a moderately adverse impact on the character and the views afforded of this landscape reducing to minor adverse as the planting matures.

Winter views would reveal more of the pavilion and bridge from this viewpoint. The impact of a building and any operational areas for access associated with the servicing of the building (such servicing has not been fully illustrated to make further comment on the pavilion building) the development could have a significant visual impact on this view.

View 3 is taken further north along the Teesdale Way from View 2. It shows a western view of the sports pavilion with the building again set against the existing tree planting with limited views of the playing pitches notably the goal posts. The pavilion is again seen to be traditional in style suiting its rural location and views of this would again be softened by tree planting in the new hedge.

Therefore it is considered that the provision of the playing pitches and pavilion building would have a moderately adverse impact on the character and the views afforded of this landscape.

View 5 is taken from Valley Drive on the Yarm side of the river and looks across to the large agricultural field on the eastern part of the site. The planting of new hedgerows with trees would change the character of the view but it is considered to be a positive change restoring former hedgerows to an agricultural landscape.

View 6 is a more distant view taken from the Roundhill area of Ingleby Barwick. The pitches are only just visible in the view and it is therefore considered that the development could have a low impact on this view.

View 7 is taken from the south west of the site from an area called Devils Hole just east of Eggescliffe Village. The site is not visible from this view therefore there is no development impact.

Site Construction

During the construction period there is the potential for landscape impacts on the area. These would be primarily footpath diversions, haul roads, temporary fencing, topsoil stockpiles during any re-contouring as well as construction traffic access noise and general movement.

Some of these impacts such as the construction of the bridge are likely to be significant given the constraints of the site but in common with many such large projects they should be temporary in nature. The apparent and significant exception to the temporary nature of the impacts is the potential impact on the protected trees, namely the impact on roots and canopies. Ideally any haul roads would be utilised as part of the final footway/cycleway network that are to be provided as part of this application. Disruption due to construction has not been fully demonstrated or any reinstatement proposals provided. Such details could be conditioned as part of the suggested revisions to the Construction Management Plan attached to any consent to the application.

Advanced works

It has been proposed that the impacts could be reduced by advance planting to soften the works, using existing tracks and gaps in hedges for access traffic and utilising full tree protection in line with the current British Standard BS5837 (2012) Trees in relation to design, demolition and construction. Such proposals are welcomed. Should approval be granted, such works should be conditioned to commence in the first planting season following consent and could commence as early as winter/spring 2013 planting season (before early April 2013).

Enhancement

As part of the application low-key timber post and rail fences are planned are to be used supplemented with new native hedge planting. New tree planting at key points around the site would soften views of new structures and pitches and supplement the existing tree planting providing 'new parkland' type planting in the south east corner of the area. Similarly a new wildflower grassland corridor of 20m between the proposed hedgerow and the Teesdale Way would improve the visual amenity and species diversity of the area softening boundaries between the footpath and pitches.

Whilst new tree planting is considered appropriate the location of any new trees in this sensitive landscape must be carefully considered as part of any reserved matters application. The potential of adverse impact arising from the formality of the hedges should be avoided with native hedge planting used throughout site, such details could be conditioned as part of the Landscape and Management details attached to any consent to the application

New recreational routes are to be proposed on the south eastern part of the site providing new links to the Teesdale Way and utilising the new bridge access. These would also link across to the North West portion of the site. The connectivity of these routes is discussed in the Highway Section of this memo. Whilst materials would require to be conditioned it is envisaged that the main footway/cycleway link would be surfaced in Fibredec. This would be acceptable providing that the route flows with the natural contours, that stepped construction is used so as to avoid PCC edging and that the route is not lit or lined. Signage would also have to be kept to a minimum and to be rural in design. The route between the footbridge and the proposed car park must include the provision of acceptable buffer planting between the path and where it comes close to existing properties in Eggescliffe Village. The provision of new park benches is welcomed and details could be conditioned

Landscape Management

Full details of the management of the sports pitches and the proposed 'park' and any non-adopted footways/cycleway and structures would have to be fully demonstrated. A long term management

plan for a period of 25 years illustrating the aims and of the plan and how the plan would be implemented would have to be conditioned to any consent.

Existing site trees and hedges

A tree survey as part of the Arboriculture Environmental Statement has been undertaken in accordance with BS5837 (2012) Trees in relation to design, demolition and construction and this highlights retention categories for all trees within the defined area. An Arboricultural Impact Assessment has also been carried out and whilst it is not considered that this development would cause significant loss or damage to the existing trees or hedges on site (provided the mitigation measures highlighted in the impact assessment are adhered to) there are concerns over trees near the proposed footbridge in the grounds of Yarm school.

The Arboricultural Impact Assessment states that the bridge has been designed to provide as much protection as possible to the trees located on the Yarm side of the river. The most notable of these are T163 Beech category A tree and T164 Horse Chestnut category B tree. In this respect the Arboricultural method statement, tree protection plan and the associated details are deemed acceptable. These two important mature trees must be retained as they form a valuable contribution to the local landscape and should assist in the integration the proposed bridge into its surroundings.

Regarding the alignment of the bridge between T163 and T164 it is preferable to position the bridge equidistant between these 2 trees for visual reasons. This will also minimise any potential risk of anti-social behaviour issues, with people climbing into the nearby tree.

The construction of the pavilion building would involve the removal of a 4 no. of trees T85-88, two of which are small elders, on the south side but it is considered that new tree planting provided as part of this development would offset these losses and enhance the long term tree cover across the whole of the site.

Routes and path ways and construction routes have been designed to utilise existing tracks or gaps in hedges. The use of low impact ground reinforcement must be used to limit potential root damage.

All trees must be fully protected as shown in the requested Arboricultural Method Statement and Tree Protection Plan during site construction works prior to any works starting on site.

In the construction of the car park there would be the loss of only three low quality trees T43, T44 and T45, 2no seedling Sycamores and a Leyland Cypress. The car park has been designed to avoid the majority of the root protection areas of the high quality trees to the north of the site. The very edge of the root protection area of T46 Ash Category B is within the car park and no dig construction techniques should be used to protect any tree roots as required following a hand dig investigation of the presence of any tree roots.

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

An Arboricultural Method Statement should also be submitted detailing works to be carried out as part of the development within a trees root protection area or any works that could potentially damage a tree.

The Tree Protection Plan and Arboricultural Method Statement would need to be conditioned as part of any planning approval and include details on low impact ground reinforcement.

Landscape and Visual Summary

The development site is considered to be an area of unique high landscape quality, identified in the Stockton Core Strategy as Green Wedge between Egglecliffe and Yarm. The area is part of the proposed Tees Heritage Park and contains the Teesdale way long distance footpath.

Having studied the various viewpoints it is considered that a noticeable effect on the landscape resulting from this development would be the visual change in land management from an agricultural landscape to a more managed landscape with sports pitches. This could be considered to be mainly a change in character as few of the existing landscape features would be lost and new areas of grassland and hedge and tree planting would bring added visual amenity to the area. However these changes and the introduction of the pavilion building and access bridge over the river Tees into this unique rural landscape would not constitute a significant visual impact.

Although it is stated in the landscape appraisal that the playing pitches are located on the flatter land to minimise alterations to the existing landform full details of this must be provided to assess the impacts on the landscape. It is understood that no flood lighting or ball catch fencing (to prevent balls from falling into the river for example) would be used for the playing pitches, however it should be noted that flood lighting and ball catch fencing would, if proposed, be an unacceptable visual intrusion into this landscape.

A footpath link from the bridge to the proposed public car park in Fibredec surface for adoption would be acceptable from a visual viewpoint provided it was unlit.

The pavilion building has been designed to reduce its visual impact by carefully siting it at the foot of the existing slope near existing trees and adopting a traditional style has helped to assimilate it into the landscape. When viewed for the Teesdale way the building appears 'agricultural' in nature set against the existing trees and therefore is not considered to be obtrusive in the landscape. Servicing of the building while likely to be low key would have to be considered and the provision and location of a septic tank needs to be explored.

The security of the building could become an issue but the need for high and visually intrusive security fencing would not be acceptable in this location.

The maintenance of the areas outside the pitches needs be considered. Access to these areas for maintenance vehicles for example could create the need for access roads and this would have to be looked at in terms of visual impact.

The proposed new public car park located on the west of the site near would be considered acceptable from a landscape and visual viewpoint. The affect on the existing trees is discussed in the tree section.

Suggested condition wording for all the landscape issues is provided in the informative section at the end of this memo.

Flood Risk Management

The Flood Risk Assessment (FRA) originally prepared by JBA in support of the application concluded that the site was acceptable for the development proposals subject to surface water management, and appropriate flood warning and an evacuation plan. Enzygo commissioned by Eaglescliffe Area Residents Association to produce independent FRA concluded that the site was unsuitable for the proposed uses.

Following a review of the FRAs produced by JBA and Enzygo The Head of Technical Services concludes that the JBA FRA adequately demonstrates that development is acceptable subject to surface water management. It is therefore recommended that if planning permission was consented that no development shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Surface water management proposals to ensure that run-off does not increase. In these proposals there shall be consideration of the provision of SUD measures and details of their management and maintenance;
- That there is no loss of flood plain storage;
- The provision of a flood warning and evacuation plan;
- Confirmation that the proposed footbridge is designed in accordance with JBAs Flood Risk Assessment so that flows in River Tees are not obstructed.

87. Egglescliffe and Eaglescliffe Council

The above application for land North of the River Tees was discussed by Egglescliffe and Eaglescliffe Council at a meeting on 8th November 2012. I am instructed to inform you of the following:

E&EC objects to this application on the grounds that it is inappropriate development within a green wedge. The proposals are in contradiction of SBC's Green Wedge policy and the tranquil zone of the Tees Heritage Park, which is included in SBC's Green Infrastructure Strategy and backed by the Big Lottery Fund. Policy SP4 allows for Recreation use in the Green Wedge providing it does not damage the function of the Green Wedge. The proposal from Yarm School is not recreational. It proposes converting agricultural land into land used for educational purposes, solely by Yarm Independent School. The pavilion building will be visibly intrusive from all areas within the green wedge and the proposals will change the countryside enjoyed by many as an area of special local interest into an area solely for private use.

In addition E&EC have major concerns regarding the impact of access for construction traffic, which would be far too heavy for Egglescliffe Village, and parking for visitors when the facility is completed. Given that there are existing parking issues in Butts Lane and Yarm High Street, what will be done to prevent parking in Egglescliffe Village to use the pedestrian access?

Furthermore, there will be noise pollution during match times and the proposed bridge across the river will provide a bolt hole for troublemakers escaping Yarm.

With regard to the proposed car park at the rear of the apartments on the former River Lounge site, E&EC have concerns regarding the impact that 36 extra vehicles will have on existing traffic congestion both through Yarm High Street and at the Yarm Road/Urlay Nook Road junction; vehicles turning right into and out of the car park will also compound this issue.

88. Teesmouth Bird Club

Teesmouth Bird Club (TBC) lodged an objection to the previous Planning Application (Application Reference 12/1595/EIS) and the reasons for our objection were contained in our letter dated 29th September 2012.

The Club's Conservation Sub-Committee has reviewed the current Application against its earlier comments in relation to the following criteria:

- (i) The existing value of the development site for breeding and wintering birds viewed against the local and regional contexts and changes in bird populations in such habitats nationally.
- (ii) The loss of habitat, particularly agricultural land, hedgerow and hedgerow trees resulting from the development.
- (iii) The impact on Red and Amber Listed birds, and UK and Tees Valley 1BAP species.
- (iv) The impact on adjacent habitat, particularly woodland.
- (v) The proposed mitigation and enhancement and whether this is adequate to ameliorate or

negate the adverse environmental impacts of the development.

Having completed our review, TEESMOUTH BIRD CLUB OBJECTS TO THE APPLICATION for the reasons outlined below. TBC has confined its comments to ornithological issues and impacts, which are identical to those for the previous Application.

(I) General Comments

Section F1.5 (Chapter F — Ecology): We point out that despite its extensive records database, TBC was not consulted during the course of the EIA for either Application and, consequently, the data in the ES provided by ERIC gives an incomplete picture of the ornithological characteristics of the development site.

1 Biodiversity Action Plan

Sect/on F22 (Ecology): ‘*Tee-Side Biodiversity Action Plan*’ should read ‘*Tees Valley Biodiversity Action Plan*’ We pointed this out in our letter of 29th September 2012.

(ii) Planning Issues

- TBC is opposed to the development of green field sites due to the adverse impacts on birds and their habitats. Paragraph 17 of the NPPF states that local councils should encourage the use of previously developed (brownfield) land.
- We believe that this development severely compromises *Policy CS10 ‘Environmental Protection and Enhancement’* of Stockton Borough Council’s ‘*Core Strategy*’

(iii) Loss of Farmland Habitat — Effects on Farmland Birds

Part of this development will involve a fundamental change in habitat from 85 acres of agricultural land to a largely artificial, sports pitch environment, with associated footpaths, building, car parking and access tracks. Chapter F (Ecology) of the Environmental Statement significantly under-states the impact of the development on farmland birds and there is a tendency for the status and importance of certain breeding species in a Cleveland context to be misunderstood and misrepresented. E3 Ecology continue to affirm that because the habitat to be lost is replicated in adjacent areas, then displaced birds will simply move out into these areas. This distorts the true picture and results in incorrect conclusions in terms of the magnitude of predicted ornithological impacts, most of which are categorized as “*minor-adverse*’

TBC’s 2Cleveland Breeding Birds Survey (CBBS) revealed the importance of the development site and adjacent woodland and river areas (in tetrad 41G) for a wide range of 46 breeding species, some of which are scarce in a Cleveland regional context, such as Grey Wagtail and Marsh tit (see Appendix 1). The site contains 8 Red List, 10 Amber List and 4 UK/Tees Valley 3BAP species, the latter being of such conservation concern that special plans have been drawn up for them. Due to the timing and relatively short duration of E3 Ecology’s breeding bird surveys, some common species have been under-estimated or missed altogether, exemplified by the fact that the CBBS for the relevant tetrad recorded 48 breeding species, whereas the EIA survey recorded only 11 (in blue in the table in Appendix 1), plus 3 additional species which do not breed here - Reed Warbler (almost certainly a migrant bird), Cormorant (feed on the River Tees) and Common Gull.

In addition to habitat for breeding birds, farmland and hedgerows provide vital over-winter feeding areas for birds, such as Grey Partridge, Skylark, sparrows, finches and buntings, and the loss of such areas is contributing to the continuing decline of these species. No winter bird survey has been carried out to assess the ornithological impact of the development on wintering birds, although paragraph F5.23 acknowledges the loss of winter feeding from the arable land but still concludes that the impact will be “*minor-adverse*’

(iv) Future Tree Management

Sensitive, long-term, ecologically based management prolongs the health and wildlife value of tree groups and individual specimens. The development of this site for recreational facilities will result in management typical of urban fringe locations: such plans often include ‘*health and safety*’ measures, which frequently involve a more ‘clinical’ approach, such as the felling and clearance of dead timber, thinning of understorey for public safety reasons and the removal of poor specimens - works that undermine the ecological health of woodlands and tree groups. Indeed, as paragraph 3.4.3 of the ‘*Design and Access Statement*’ states: “*There is also a potential for tree works along the riverside to remove dangerous or declining trees...*” We do not see any necessity for such works, certainly not from an ecological point of view.

2 ‘*The Breeding Birds of Cleveland — A Tetrad Atlas (1999-2006)*’ by Graeme Joynt, Ted Parker &

Vic Fairthrother, Teesmouth Bird Club, November 2008.

Biodiversity Action Plan species.

TBC strongly believes that, should this Application be approved, any future management should be based on ecological principles, involving:

- *Retention of dead trees and fallen timber* for bats, woodpeckers and Tawny Owls and breeding sites for invertebrates and hole-nesting birds, such as Little Owl, Great Spotted Woodpecker and Willow and Coal Tits.

- *Development of the 'ecotone' habitat (i.e. woodland edge)*, which is of greatest value for birds. This should gradually merge with open ground and include native tree, shrub and herb species.

- *Localised replanting* to create an uneven-aged tree structure in the long-term.

(v) *Loss of Mature Hedgerows and Hedgerow Trees*

Removal of existing mature hedgerows will result in the loss of breeding birds (hedgerows are the most productive habitat for breeding birds as well as providing important refuge, food sources and linkages). Mature hedgerow is a very scarce habitat in Cleveland, with most hedgerows being over-maintained and all but useless for breeding birds. We note the planting of new hedgerows in mitigation but this will not mirror the existing situation where current runs form part of a farmland landscape and breeding species will be lost as a result of the clearance.

(vi) *Mitigation and Compensation*

Although well intentioned, the proposed mitigation will not compensate for the complete habitat change from farmland to manicured pitches over the farmland part of the site and E3 Ecology is still under the misconception that farmland birds displaced by the destruction of habitat within the development area will merely move into and colonise adjacent similar habitats. The national and local evidence, however, completely contradicts this. This development involves the loss of 11.5 hectares of arable land. Adjacent similar habitat is already at capacity and has existing maximum populations of breeding birds. One of the most alarming trends over the past 40 years has been the continuing dramatic national decline in farmland species across UK in general and the Cleveland region in particular. For example, the following figures from 'The State of the UK'S Birds 2011' and British Trust for Ornithology's recent 'The Breeding Bird Survey 2011' underline the national declines:

Grey Partridge; 1

SPECIES % CHANGE 1970- % CHANGE 1995- % CHANGE 1995-

2009 2010;

91%

54%

55%

'The State of the UK'S Birds' includes a report on the UK wild bird indicator and states, alarmingly, that the farmland and woodland indicators both fell to their lowest ever levels, at 51.3% and 75.9% respectively of their 1970 starting values. It is the incremental loss of farmland that is significant as there is a nationwide shortage of such habitat providing suitable nesting and feeding sites in the breeding season, as well as food for over-winter survival (such as from retained stubble). This shortage and loss of additional areas is one of the reasons why there have been such alarming declines in Red and Amber Listed farmland species monitored by the BTO. It is highly unlikely that birds displaced by this development will survive.

If anyone doubts the seriousness of the annual incremental loss of wildlife habitat in Cleveland, it is worth noting that Turtle Dove became extinct as a breeding bird in Cleveland only 16 years ago and Lesser Spotted Woodpecker, Corn Bunting and Hawfinch are now on the brink of extinction in

3

Curlew - -60% -41%	-44%
Skylark -55% -15%	-20%
Tree Sparrow Recovering but for every Tree Sparrow we see today there were 20 in the 1970s	
Linnet -56% -23% -21%	
Yellowhammer -56% -17% -15%	

our area. In addition, the RSPB and BTO have just announced that over 40,000,000 farmland birds have been lost over the last 50 years.

We hope you will find our comments useful and that your Council will refuse this environmentally damaging Application.

4 APPENDIX 1

BREEDING BIRDS IN AND ADJACENT TO THE DEVELOPMENT SITE ;1

NO. OF TERRITORIES TOTAL NO OF SPECIES IN DEVELOPMENT PAIRS STATUS
AREA (TETRAD 41G) BREEDING IN CLEVELAND;

0] MALLARD 10 619

Amber List. 5

SPARROW-HAWK		2	130	
KESTREL		1	131	Amber List.
PHEASANT		5	1,202	
MOORHEN		1	451	
COOT		1	230	
FERAL PIGEON		1	3,046	
WOODPIGEON	2	8	5,872	
COLLARED DOVE	1	3	2,733	
TAWNY OWL		1	179	
SWIFT		4	673	Amber List.
GREAT SPOTTED WOODPECKER			173	
SKYLARK			1,630	Red List. UK/Tees Valley BAP.
SWALLOW		8	1,164	Amber List.
HOUSE MARTIN			970	Amber List.
GREY WAGTAIL			43	Amber List.
PIED WAGTAIL			460	
WREN	3	3	6,690	
DUNNOCK	1	9	5,122	Amber List.
ROBIN	1	5	4,465	
BLACKBIRD	1	62	13,229	
SONG THRUSH	1	4	1,973	Red List. UK/Tees Valley BAP.
MISTLE THRUSH			346	Amber List.
SEDGE WARBLER			395	
WHITETHROAT			1,562	Amber List.
BLACKCAP	1	4	1,365	
CHIFFCHAFF			1,126	
WILLOW WARBLER			2,435	Amber List.
GOLDCREST			543	
LONG-TAILED TIT		4	547	
MARSH TIT			74	Red List.
COAL TIT			703	
BLUE TIT	2	6	4,763	
GREAT TIT		7	2,234	
MAGPIE			1,185	
JACKDAW			1,995	
ROOK		3	1,841	
CARRION CROW		9	1,100	
STARLING	5	7	9,067	Red List.
HOUSE SPARROW	5	6	14,423	Red List.
CHAFFINCH	2	6	4,406	

GREENFINCH	4	2	3,693	
GOLDFINCH		5	1,432	
LINNET		4	1,937	Red List. UK/Tees Valley BAP.
YELLOWHAMMER		1	1,094	Red List.
REED BUNTING		1	556	Red List. UK/Tees Valley BAP.

89. Yarm Town Council

Yarm Town Council objects to this development. The development would deprive local residents of the Tees heritage Park and the Town Council wish to preserve the History of the Tees corridor. Any development in this area would lead to serious drainage and flooding problems which would affect local becks and streams and farmland. There would also be significant detrimental disruption to the wildlife corridor which allows animals to move from the Pennines to the North York Moors. The wildlife corridor runs through the area proposed and Yarm School's current playing fields would appear to be more than adequate, so it is difficult to understand why they want to offer them for development other than for monetary gain. Having considered this application together with the proposals for the Tees Heritage Park site, it would appear that we have a developer who wishes to acquire land and a school which doesn't listen to its local community.

90. Northumbrian Water Ltd

Thank you for consulting Northumbrian Water. I have the following comment:

Condition

Development shall not commence until a detailed scheme for the diversion of its apparatus or redesign of the proposal to avoid building over by 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

Two public sewers cross the site and are shown built over on the application. Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant's full cost.

Information relevant to the planning condition

Existing sewers cross the site 315mm and 406mm diameter. Northumbrian Water will not permit a building close to or over its apparatus. The developer should contact Northumbrian Water Ltd if it is proposed to sink boreholes or excavate foundations within 4.5 M of the sewer. No tree planting or alteration of the land within at least 8m of the sewer will be allowed without the permission of Northumbrian Water. This sewer could be diverted or accommodated in the site layout. The developer should contact Maurice Dunn at this office (tel 0191 419 6577) to discuss the matter further.

PUBLICITY

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

91. 313 letters of objection from residents were received from the following 258 different addresses: -

1 Ash Grove, Kirklevington, 1 Church Close, Egglecliffe, 1 Cross Row, Egglecliffe,
1 Denevale, Yarm, 1 Egglecliffe Court, Egglecliffe, 1 Friarswood Close, Yarm

1 Goulton Close, Yarm, 1 Holmdene, Yarm, 1 Leven Road, Yarm, 1 Poplar Court, Yarm
 1 Rose Terrace, Egglecliffe, 1 Seymour Grove, Egglecliffe, 1 Spitalfields, Yarm
 1 St Martins Way, Kirklevington, 1 The Glen, Egglecliffe, 1 The Green, Egglecliffe
 1 Urlay Nook Road, Egglecliffe, 1 Wells Cottages, Egglecliffe, 10 Ash Grove, Kirklevington, 10
 Atlas Wynd, Yarm, 10 Battersby Close, Yarm, 10 Denevale, Yarm
 10 Grisedale Crescent, Egglecliffe, 10 Manor Drive, Hilton, 10 The Green, Egglecliffe
 101 Chaviry Road, Northallerton, 101A High Street, Yarm -Minerva Mews Estate
 11 Atlas Wynd, Yarm, 11 Brookwood Way, Egglecliffe, 11 Butts Lane, Egglecliffe
 11 Castle Dyke Wynd, Yarm, 11 South View, Egglecliffe, 11 The Haywain, Lower Constable
 Road, Ilkley, 118 The Meadowings, Yarm, 12 Cromer Court, Egglecliffe
 12 Dunbar Drive, Egglecliffe, 12 Oughton Close, Yarm, 12 Sefton Way, Yarm
 12 Stevenson Close, Yarm, 13 Highfield Drive, Egglecliffe, 13 The Green, Egglecliffe
 14 Battersby Close, Yarm, 15 Borrowdale Grove, Egglecliffe, 15 Busby Way, Yarm
 15 Butts Lane, Egglecliffe, 15 Delph Lane, Oldham, 15 Glaisdale Road, Yarm
 15 Kirklevington Grange, Yarm, 15 Mayes Walk, Yarm, 15 Merryweather Court, Central Street,
 Yarm, 16 Heathfield Close, Egglecliffe, 17 Battersby Close, Yarm, 17 Church Road, Egglecliffe,
 17 Goose Pasture, Yarm, 17 Uldale Drive, Egglecliffe, 17 Woodlands Drive, Yarm, 18 Church
 Road, Egglecliffe, 18 Dunbar Drive, Egglecliffe, 18 Merlay Close, Yarm, 19 Birchfield Drive,
 Egglecliffe, 19 Church Road, Egglecliffe, 19 Dunbar Drive, Egglecliffe, 19 The Green,
 Kirklevington, 19 The Rigg, Yarm, 19 Valley Gardens, Egglecliffe, 1A Countisbury Road, Norton,
 2 Alnwick Grove, Norton, 2 Birchfield Close, Egglecliffe, 2 Church Close, Egglecliffe, 2 Ebor
 Court Mews, Northallerton, 2 Egglecliffe Court, Egglecliffe, 2 Finchfield Close, Egglecliffe, 2
 Highfield Gardens, Egglecliffe
 2 Ivy Cottages, The Green, Egglecliffe, 2 Martindale Grove, Egglecliffe, 2 Moor Park,
 Egglecliffe, 2 Playlin Close, Yarm, 2 Wasdale Drive, Egglecliffe, 2 Whinfell Avenue, Egglecliffe,
 20 Atlas Wynd, Yarm, 20 Church Road, Egglecliffe, 20 Cotherstone Close, Egglecliffe, 20 The
 Green, Kirklevington, 21 Aberdovey Drive, Egglecliffe, 21 Hird Road, Yarm, 21 The Slayde, Yarm,
 22 Battersby Close, Yarm, 22 Forest Lane, Kirklevington
 23 Dunster Road, West Bridgford, Nottingham, 23 Goose Pasture, Yarm, 23 High Stell, Middleton
 St George, Darlington, 23 Tenby Way, Egglecliffe, 24 Ash Grove, Kirklevington
 24 Hemingford Gardens, Yarm, 24 St Martins Way, Kirklevington, 24 Valley Gardens, Egglecliffe,
 25 Atlas Wynd, Yarm, 25 Newlands Road, Egglecliffe, 26 Atlas Wynd, Yarm
 26 Clifton Avenue, Egglecliffe, 26 Crosswell Park, Ingleby Barwick, 26 Nederdale Close, Yarm, 27
 Uldale Drive, Egglecliffe, 28 Atlas Wynd, Yarm, 28 Castle Dyke Wynd, Yarm
 28 Crosswell Park, Ingleby Barwick, 28 Linden Road, Northallerton, 28 St Martins Way,
 Kirklevington, 29 Regency Park, Ingleby Barwick, 2aA Montrose Street, Darlington
 3 Castle Dyke Wynd, Yarm, 3 Church Close, Egglecliffe, 3 Cleveland Gardens, Egglecliffe, 3
 Dinsdale Drive, Egglecliffe, 3 Hoylake Way, Egglecliffe, 3 Mayfield Close, Egglecliffe, 3
 Muirfield Road, Egglecliffe, 3 St Martins Way, Kirklevington, 3 The Glen, Butts Lane, Egglecliffe,
 3 The Green, Kirklevington, 3 Troutsdale Close, Yarm, 3 Valley Close, Yarm, 3 West View Close,
 Egglecliffe, 30 Atlas Wynd, Yarm, 30 Coatham Vale, Egglecliffe, 31 Dinsdale Drive, Egglecliffe,
 32 Bishopsgarth, Northallerton, 32 Crosswell Park, Ingleby Barwick, 32 Spitalfields, Yarm, 33 Atlas
 Wynd, Yarm, 33 Mount Leven Road, Yarm, 34 Carew Close, Yarm, 34 Grisedale Crescent,
 Egglecliffe, 35 Coatham Vale, Egglecliffe, 35 St Nicholas Gardens, Yarm, 37 Goose Pasture,
 Yarm, 37 Woodstock Way, Hart Station, Hartlepool, 39 Lingfield Road, Yarm, 3A Station Road,
 Egglecliffe
 4 Butts Lane, Egglecliffe, 4 Church Road, Egglecliffe, 4 Clockwood Gardens, Yarm
 4 Foxton Close, Yarm, 4 Jasmine Fields, Kirklevington, 4 Oughton Close, Yarm
 4 St Martins Way, Kirklevington, 4 Worsley Close, Egglecliffe, 40 Atlas Wynd, Yarm
 41 Goose Pasture, Yarm, 42 Ash Grove, Kirklevington, 44 The Larun Beat, Yarm
 45 Goose Pasture, Yarm, 45 Limpton Gate, Yarm, 47 Dundas Street, Stockton-on-Tees
 47 Goose Pasture, Yarm, 48 Grisedale Crescent, Egglecliffe, 5 Butts Lane, Egglecliffe
 5 Carradale Close, Egglecliffe, 5 Dinsdale Drive, Egglecliffe, 5 Martindale Grove, Egglecliffe, 5
 Newbiggin Close, Egglecliffe, 5 The Green, Egglecliffe, 5 Uldale Drive, Egglecliffe, 5 Wells

Cottages, Eggescliffe, 51 Forest Lane, Kirklevington, 51 Goose Pasture, Yarm, 51 Seymour Grove, Eggescliffe, 54 Mount Leven Road, Yarm
 55 Forest Lane, Kirklevington, 59 The Larun Beat, Yarm, 592 Yarm Road, Eggescliffe
 598 Yarm Road, Eggescliffe, 6 Butts Lane, Eggescliffe, 6 Caterton Close, Yarm
 6 Clockwood Gardens, Yarm, 6 Eastbourne Avenue, Eggescliffe, 6 Emsworth Drive, Eggescliffe,
 6 Esk Green, Eggescliffe, 6 Grassholme Way, Eggescliffe, 6 Middleton Close, Eggescliffe, 6
 Rose Terrace, Eggescliffe, 6 South Farm, Ryhope, Sunderland
 6 The Green, Eggescliffe, 6 The Green, Kirklevington, 6 The Pines, Yarm, 6 Westworth Close,
 Yarm, 60 Meadowfield Drive, Eggescliffe, 60 Mount Leven Road, Yarm
 62 Grassholme Way, Eggescliffe, 648 Yarm Road, Eggescliffe, 66 Victoria Walk, Horsforth,
 Leeds, 661 Yarm Road, Eggescliffe, 67 Forest Lane, Kirklevington
 67 The Larun Beat, Yarm, 67 Valley Drive, Yarm, 676 Yarm Road, Eggescliffe
 680 Yarm Road, Eggescliffe, 7 Butts Lane, Eggescliffe, 7 Lilac Road, Eggescliffe
 7 Parkstone Place, Eggescliffe, 7 Rudby Close, Yarm, 7 The Orchard, High Church Wynd, Yarm,
 7 Uldale Drive, Eggescliffe, 7 Westlands, Kirklevington, 70 Valley Drive, Yarm
 74 Mount Leven Road, Yarm, 77 Valley Drive, Yarm, 8 Atlas Wynd, Yarm, 8 Denevale, Yarm, 8
 Grisedale Crescent, Eggescliffe, 8 Jasmine Fields, Kirklevington, 8 Scholars Court, West Street,
 Yarm, 8 West Street, Yarm, 85 Valley Drive, Yarm, 9 Atherton Way, Yarm, 9 Glaisdale Road,
 Yarm, 9 Goose Pasture, Yarm, 9 Kingsdale Close, Yarm
 9 Leven Road, Yarm, 9 The Rigg, Yarm, 9 Troutsdale Close, Yarm, Cotcliffe Bank Farm,
 Northallerton, Dingle House, The Old Rectory, Butts Lane, Eggescliffe, Dolphin Cottage, Upper
 Minety, Malmesbury, Emmett Hill Lane, Upper Minety, Malmesbury, Far End Cottage, Worsall
 Road, Kirklevington, Ferncliffe, Back Lane, Eggescliffe, Field House Farm, Worsall Road, Yarm,
 Greenabella, Bentley Wynd, Yarm, Greenside, The Green, Eggescliffe, Hawthorn House, The
 Green, Eggescliffe, Ivy Dene, The Green, Eggescliffe
 Kirklands, Church Road, Eggescliffe, Lane End Cottages, Thirsk Road, Kirklevington
 Laneside, Back Lane, Eggescliffe, Morton Retreat, Nunthorpe, Middlesbrough
 Oseghale, Green Lane, Yarm, Pear Tree House, 9 The Green, Eggescliffe, Rose Cottage, The
 Green, Eggescliffe, Rosegate, The Spital, Yarm, St Annes House, The Green, Eggescliffe, Tees
 Villa, Aislaby Road, Eggescliffe, The Gables, Uray Nook Road, Eggescliffe, The Lodge,
 Kirklevington Grange, Yarm, The Maltings, Piersburgh Lane, Low Worsall, Yarm, The Mews, Butts
 Lane, Eggescliffe, The Outlook, Church Road, Eggescliffe, The Village Farm, Church Road,
 Eggescliffe, Town End Farm, Langthorne, Bedale, Umbro House, Lakeside, Cheadle Royal
 Business Park,,Cheadle, Cheshire
 West End House, Church Road, Eggescliffe, West House, Butts Lane, Eggescliffe
 White House, Church Road, Eggescliffe, Windlestone, Uray Nook Road, Eggescliffe
 Woodside, The Spital, Yarm

92. The main concerns were: -

- Land to be developed is part of Tees Heritage Park which is supposed to be protected by Stockton Council. The Council have in the past always supported the Tees Heritage Park and have acquired Lottery Funding for its development.
- Proposed development will permanently and detrimentally transform the landscape character and visual value of this highly sensitive area of the Tees River Corridor and Tees Heritage Park.
- Land protected by Stockton-on-Tees Green Infrastructure Policy, the Tees Valley Green Infrastructure Strategy and is designated in Stockton-on-Tees Local Plan – Regeneration and Environment, Local Development Document, Preferred Options - as being outside the limits to development and within green wedge. The current Council Core Strategy (policy CS10) specifically refers to the Heritage Park as one of two key areas within the Borough where it will support initiatives to improve the quality of the environment where this may contribute towards strengthening habitat networks, the tourist offer and biodiversity.

- The development will destroy part of the Tees Heritage Park & Teesdale Way. This goes against national & local policy regarding local ecology & environment.
- Construction of playing pitches within Tees Heritage Park would be in conflict with the National Planning Policy Framework Clause 76, 77, 78 and 80 as they are not a recreational facility available to the public
- The loss of a beautiful natural open space will have great impact on the environment
- Pavilion of any size will spoil landscape and may encourage people to loiter
- Loss of wild open space - sports fields are no substitute for natural open space (hills, bushes, wild flowers) and will have a negative effect on wildlife habitat. Very significant earthworks will be required to level the ground, and the landscape will be changed beyond recognition and for the worse.
- To allow any development on a Green site such as this is in direct contradiction as set out in the National Planning Policy Framework.
- The proposed curved footpath network, the bridge and ramps, and improvements to the Teesdale Way, being of a suburbanised and manicured nature will have a negative impact on the natural beauty of the farmland and the riverside path.
- The arable field should not be permitted for development as this has been ancient arable land for centuries.
- The Tees Heritage Park, the Town of Yarm and the Village of Egglecliffe, are all jewels in Stockton's Crown and must be preserved for future generations. If this development is passed there is no turning back and they will be lost forever, and what is currently nature at its best, could be classed as a brownfield site in the future.
- Stockton Council, in the introduction to a pamphlet produced jointly with The Friends of Tees Heritage Park, describes the heritage park as "*A place to enjoy our rich heritage, landscape and wildlife. A quiet place away from the hustle and bustle of everyday life*". A school playing field is not compatible with these principles.
- Changes to create 'public greenspace' will change the section of Teesdale Way from a countryside walk into essentially a suburban one.
- Potential future use of playing pitches by outside organisations on a weekend.
- Yarm School has adequate playing fields at Green Lane and at Aislaby Road. Green Lane playing fields are few minutes walk from school gates and are accessed by pupils walking through a well-lit residential area. The pitches have clear vehicular access from Green Lane and are not liable to flooding.
- Proposed pitches to be built on flood plain
- The loss of a beautiful natural open space will have great impact on the environment; Yarm already suffers with over development.
- This would be a private development, which would go against all the principles of the Tees Heritage Park. They say they would provide access and nature walks through this area, but it already is a beautiful nature reserve, in its natural form.
- The Tees Heritage Park project has secured lottery funding of over £700,000 and the proposed developments are contrary to the aims of the project for which the funding was granted.
- The area in question is just one part of a strategic wildlife corridor (ENV8) as identified in the Tees Valley Strategic Plan that stretches from central Stockton through to the Leven Valley in Yarm, further it is within a Green Wedge (ENV14) and Community Forest (ENV16).
- The site is also within a 'Green Wedge.' Section 2.49 of SBC's Preferred Options. Development type not in line with the type of development allowed in Green Wedge.
- Trees will have to be removed or become damaged as a result of the proposed development.
- Unwanted and unnecessary development and is a prestige project for the profile of Yarm School.

- Noise and lights from pitches will affect the quality of life in the village and spoil the atmosphere along the river bank.
- Yarm & Eaglescliffe do not have the infrastructure that would support this development.
- Traffic and emissions will increase affecting health of people and wildlife
- Yarm school is a private venture that makes minimal contribution to the area other than increased traffic jams and pollution
- Adverse affect on the traffic in the narrow Butts Lane the area in question forms part of Tees Heritage Park which is supposed to be protected by the Stockton Council who have supported it and who have acquired Lottery Funding in its development.
- Application is totally dependant on planning application 12/1990/EIS being approved and this will provide more houses to the already over housed area of Yarm whose infrastructure and traffic congestion cannot support.
- Completely change this quiet area into being extremely busy for six days per week during and after school hours.
- Affect tourism in area
- Parents of Yarm School will use car park to drop off children rather than queuing in High Street causing extra traffic and huge impact on tranquil village.
- Yarm School already make a significant impact on the locality due to the amount of traffic to and from their premises, as well as inconsiderate parking and driving behaviour. They should not be permitted to cause further degradation of the area.
- Yarm has a deficiency of natural green spaces... To develop this area would provide even less rural areas within the town
- The development will negatively impact on the preservation and presentation of Stockton's heritage assets, Egglecliffe Village and Yarm town, both conservation areas and their surrounding environment.
- Adverse impact on Egglecliffe conservation area.
- The pedestrian access to the site still remains via a new footbridge which will be fraught with problems. Who would own the bridge, who would maintain it? Would it be lit? Would it be patrolled at night? Would it not invade the privacy of adjacent apartments? Who would be allowed to use it??
- Proposal offers no community benefits, nor a positive contribution to the locality
- Conservation Area with listed properties ~ would be devastating ... To name just vehicular access as one (the north of the riverbank can be accessed via Egglecliffe Village) in relation to a.) the removal of hundreds of tonnes of earth from the site, deliveries of materials to site, contractors accessing site etc. etc
- Proposed site of bridge very close to residential properties, views up and down river will be destroyed by bridge. Increase in noise and antisocial behaviour from users of bridge, during the week and at weekends.
- Only select few people to benefit from development with the majority not even residents of Yarm or Eaglescliffe.
- Butts Lane and other roads in village not suitable for heavy plant machinery and although the presence of heavy plant machinery may be temporary, irreparable damage may be done to listed buildings as thy thunder past.
- Existing parking problems within Egglecliffe Village which gets worse at drop off/pick time for Egglecliffe School.
- Repair and upkeep on footbridge if adopted when being used almost exclusively for the benefit of Yarm School is an unreasonable burden on local tax payers.
- Proposed bridge will be hidden away from main stream activities in Yarm and will create a major security risk outside normal school hours.
- The height of the bridge will allow direct visibility into the homes of nearby residents; this is a loss of privacy that should not be imposed on this area.
- Atlas Wynd is a residential area not a public thoroughfare.

- The car park at the bottom of Stoney Bank will only add to the traffic chaos near Yarm Bridge.
- Stockton Borough Council wanting to cut costs and cutting front line services, how can there be any justification for using public funds to maintain a footbridge, essentially for benefit of a private school and waste money on a luxury of a park when people are walking and enjoying the river walk now.
- The proposed car park will be a further unsightly intrusion into the area, is too small and too far a walk to have any significant affect on the Yarm parking nightmare, and the access at Brewery Bank will add more traffic problems at an already complicated series of junctions where there are already long queues of traffic at most times of day.
- There are already difficulties for traffic accessing and exiting around the Bluebell area. The proposed car park can only make it worse. It will be impossible with the building traffic coming in and out of the area.
- The promise of 36 new parking spaces for Yarm is a drop in the ocean and will do nothing to mitigate Yarm's many car parking issues.
- Proposed new car park is so far from the proposed playing areas and pavilion that I am 100% certain that The Spital will be used as a parking area
- Concerns regarding Health and Safety of the children and Parents who attend Butts Lane primary school and the adjacent nursery. Additional construction traffic can only add to the danger
- The bridge, if allowing public access, will also allow the access to the opposite side of the river to the undesirable elements of our youth who excessively partake in drink and other anti social activities.
- There has not been a meaningful study of the wild life corridor by the developers or SBC to enable them to evaluate the wild life and ecology of the region. Therefore they are in no position to make a decision regarding this exceptional area.
- Proposal won't create any long term businesses or jobs that will benefit the community, and it will also be at the expense of an area of natural beauty.
- Access road in Egglecliffe Village is totally unsuitable for the access and egress of heavy trucks and articulated vehicles bringing construction plant and equipment onto the site.

93. Consultants representing Egglecliffe Area Residents' Association (EARA) have also commented and a summary of their reports is as follows:-

94. Archaeo-Environment Limited - The NPPF does not simply seek to preserve heritage assets, but sees as desirable the need to sustain and *enhance* their significance. The Built Heritage chapter and its appendix M2 (also variously referred to as K2) suggest only that significance will be preserved. The introduction of suburban sports pitches and associated infra-structure into an area that has specifically been flagged up by the local planning authority as one which should be protected from suburbanisation and manicuring, cannot be said to enhance or sustain significance and is therefore contrary to NPPF para 131.

2. There is inadequate information on the significance of the archaeology due to the lack of any trial trenching which could provide information on the nature, level and extent of significance. On the currently available information it is therefore impossible to state whether there will be substantial harm or not to archaeological deposits of possible designatable value.

3. The submitted built heritage assessment is inadequate in its understanding of setting as defined by the NPPF and additional English heritage guidance. Therefore the significance of the listed buildings and conservation areas has not been adequately explored, in particular the nature and significance of the views towards the riverbank and beyond in the 18th century design of the Friarage and its grounds. As a result the impact of the development on the Friarage and the historic pleasure walks cannot be fully understood.

4. The impact of the construction phase on the listed buildings and village green in Egglecliffe will be substantial and adverse and is also highly likely to have long term negative impacts on the setting and fabric of listed buildings and the conservation area. The longer term impact on the

village green needs to be better assessed as the village is likely to be used for parking by visitors to the pitches and thus exacerbate the problems of damage to the green already raised in the conservation area appraisal.

5. The impact of the construction phase on the Friarage is also not understood as it is not clear how the footbridge parts and heavy machinery will be transported to the west side of the river.

6. It is not clear what form the access track for the heavy vehicles and machinery will take from Eggescliffe village or what form the footpaths will take from the car park to the sports pitches and therefore the impact on the conservation area cannot be determined.

95. SK Transport Planning Limited - The application red line boundary is incorrect in terms of delivering an appropriate vehicular access for construction, servicing and day-to-day access to the proposed facility

a 3.37 metre narrowing on the northern vehicular access restricts access for construction vehicles, potentially impacting on an adjacent listed building

the only vehicular access to the application site has to cross unregistered land and the applicant has failed to demonstrate that they control this land by excluding this from the red or blue edged site plans

the proposed additional pedestrian link from the 34-space car park is a duplication of the Teesdale Way, and information regarding its horizontal and vertical alignment, separation distance from existing residential properties and impact on the surrounding area has not been included in the planning application

the construction management plan has not adequately demonstrated that construction traffic can access the site without conflicting with listed buildings or crossing third party land

physical restrictions on the south (Yarm) side of the river indicate all construction traffic associated with the new pedestrian bridge will have to take place from the north side of the river

no assessment has been made of the impact of the required construction haul route from Eggescliffe village across the application site, as well as the requirements for a permanent vehicular access route to the pavilion building

A potential issue with overlooking from the proposed pedestrian bridge and the adjacent residential development has been identified

The application has failed to consider appropriate access arrangements for the disabled and mobility impaired, in terms of appropriate walk distances from the school, and the need and impact of providing appropriate lit pedestrian and vehicular routes across a sensitive landscape

Concerns regarding the future use of the facility, with indications in the original planning application that the facility could be opened up for nonschool use

Finally, we question the need to relocate the sports pitches from the Green Lane site to land north of the River Tees. We are aware of the residential planning application for up to 735 units at Green Lane, and suggest that an alternative solution is to retain and enhance the existing playing pitch facilities at Green Lane. These facilities have direct access to the public highway and can be accessed by continuous, appropriately lit footways. We do not believe that an adequate case has been made to replace the Green Lane sports pitches for residential development, and we suggest no case has been made for the expansion of playing pitch when the applicant's original planning application confirmed:

'Access onto the site, both vehicular and pedestrian is severely constrained due to its location adjacent to the River Tees

96. Enzygo Limited - Initially considering planning policy, within the Stockton on Tees Local Development Framework Core Policy Document, Policy CS10 provides protection of local landscapes and specifically refers to an area within which the site falls, within the River Tees Valley. This policy seeks to avoid compromising the quality of adjacent urban environments through the protection of adjacent rural landscapes. The development would compromise the quality of adjacent urban environments as it would affect the existing openness and amenity value of the site, particularly the southern extent of the site, through the introduction of large scale recreation and pathways. The development therefore conflicts with this policy. 3.1.2. The site is also within the Tees Heritage Park, a locally highly valued landscape which has received

significant funding in recent times from local government and national bodies such as Natural England. The investment into the Heritage Park could be compromised by the alterations to the site through the alteration of its character and reduction in its appeal to users from the local and regional area.

There would be adverse landscape and visual effects of the scheme, primarily due to the extended influence of the urban area of Yarm into the site, which is currently rural in character.

The proposed bridge, which would extend from Yarm School into the site; the new footpath network; and the proposed sports pitches, with associated goal posts and infrastructure, would completely alter the landscape character of the site from an open rural and tranquil landscape, to a busy and potentially noisy recreational landscape. The site currently is distinct in its character, not having being influenced by the urbanising elements on the opposite side of the river, retaining an open rural feel. The proposals would substantially alter this character, which would be manifested in adverse landscape and visual effects. There would be adverse visual effects on adjacent visual receptors, not least on the adjacent residents and on the Teesdale Way, and there would be a fundamental adverse effect on landscape character.

The mitigation proposed in the LVIA is limited in its extent and cannot justify beneficial long term landscape and visual effects of the scheme. The change of the landscape from 'open, rural' to 'recreational' could not be mitigated through planting, however extensive. The character of the landscape is intrinsically defined by its openness which has the potential to be disrupted by the proposal.

In conclusion, the development would give rise to some unacceptable adverse landscape and visual effects.

97. Enzygo Limited - This assessment demonstrates that the proposed development will be at risk of extreme flooding, could not be operated safely, would increase flood risk elsewhere and is therefore not compliant with the requirements of the NPPF.

The development should therefore be precluded on the grounds of flood risk.

98. Egglecliffe Area Residents' Association

We would like to commend Stockton Council for the defence of its planning policies (its Green Strategy and the Tees Heritage Park in particular), in its recent decision on the Mount Leven Farm application. We attach herewith our analysis of the relevance of the officer's report on that application, to the Theakston Estates application and also the precedent it sets.

As you will see, we have quoted at length from the Report and have detailed our specific comments (IN CAPS AND BRACKETS) alongside.

We would also like to specifically comment on one point raised in the "Rebuttal" by Southern Green, 2.1, 5th para. With the exception of the Aislaby pitches, which lie almost unseen beyond the Yarm Viaduct, all the sporting locations mentioned here, lie between Preston Park and where the riverside section of the Teesdale Way ends, at Egglecliffe Golf Course. From this point onwards to Yarm, the tranquillity of the Heritage Park is obvious to anyone who has either walked it or travelled by river. It is this natural, tranquil, non-urbanised landscape that is such a unique feature of the Heritage Park and is a major asset for the Borough of Stockton-on-Tees. Its protection was the principal reason for the setting up of the Tees Heritage Park. As you will be aware, FTHP, working in conjunction with its partners, including Stockton-on-Tees Borough Council, has applied successfully for Lottery Awards, based on its constitution, which specifically refers to the Heritage Park's tranquil nature. You will possibly also be aware that the entire successful concept of the Tees Heritage Park has been expanded and enlarged with the setting up of Tees Rediscovered. This success has been acknowledged by all the partners and the neighbouring local authorities that have just appointed Mr. Doug Nicholson, founder Chair of FTHP, as Chair of the River Tees Rediscovered Partnership!

We would point out that all of the previously mentioned sporting locations had already been in existence long before the Tees Heritage Park or its boundaries were set up. The significant difference between the sporting facilities mentioned by Southern Green and those already in existence is that those already in existence are sited within the curtilage of their own land. The Yarm School proposal is an extension of a private school onto land it does not own on the opposite side of the river.

The urbanised new proposed path structure (that will have to comply with modern standards), particularly that section running adjacent to Egglecliffe Conservation Village, will be highly visible and is incompatible both with the “natural” landscape and the critical views from Yarm.

You will note that reference is made to “accessible” page 9 Para 3, “public recreation” page 13 Para 3 and “for the benefit of everybody” page 27 Para 6 (No 25). The Applicant has always acknowledged that these pitches and the Pavilion will be private to the pupils of Yarm School. This is not compatible with the vision of the Tees Heritage Park (and Stockton Council) that, as a “mini national park”, it is for the benefit of everyone.

We are aware that Stockton Borough Council has an excellent record of protecting the Tees Heritage Park in the past, having refused to allow the building of a comprehensive school within the boundaries of Preston Park and discouraged the building of a wind turbine along the riverbank. As such we are confident that you will recommend rejection of this application.

The issue of who would own the public park and would be responsible for the maintenance and upkeep of the proposed bridge is, as far as I am aware, still unresolved. Whilst there is the possibility of a section 106 agreement, in that the developer could provide funds for this purpose, the question is whether sufficient funds would be offered to address this issue over a significant period of time. Any money invested at this moment in time is receiving little return in interest and this is likely to be the situation for many years to come. Therefore, there is the likelihood that any funds agreed to carry out maintenance and upkeep may be insufficient. This would then result in the local authority having to support these funds through their own capital budget, which would have to be at the expense of the local ratepayer.

I hope the information contained within this letter and that accompanying summary of the Mount Leven Farm rejection assists you in your determination.

Comments on the Original Officers Report on 12/1546/OUT (Mount Leven)
and its relevance to the Theakston Estates Application No 12/2568/EIS

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Para 3: planning should “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting 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 the sustainable development

Para 4:However, for the reasons set out in the sustainable tourism and town centres sections of these comments I consider there are also significant economic costs associated with the proposal and for the reasons set out in Para 30 of these comments I consider that there are also significant social costs associated with the proposal.

Para 7: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. (MY UNDERLINE ,THE SPORTS PITCHES AND PAVILION ARE A PRIVATE FACILITY AND NOT A COMMUNITY FACILITY. THE REFERENCE TO LEVEN VALLEY APPLIES EQUALLY TO YARM/EGGLESCLIFFE).

Page 6

Para 4: The site forms part of the 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 for the Borough.

Paras 5, 6 & 7. (I SPECIFICALLY QUOTE FROM THESE)“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 tees”. CS10 statesenvironment, will be maintained through the protection and enhancement of the openness and amenity value of green wedges.....

Page 7

Para 1: 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 higher quality land.(UNBELIEVABLY, GIVEN THAT THE LAND IS THE HIGHEST GRADE (3A OR 3B), THE APPLICANT CLAIMS THAT THE ITS LOSS WOULD BE “MINOR BENEFICIAL EFFECT”).

Para 5: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 LOCAL RESIDENTS, (AS CAN BE SEEN FROM THE UNPRECEDENTED NUMBER OF OBJECTIONS), DO NOT WISH THESE SPORTS PITCHES, PAVILION, URBAN STYLE PATHS AND MANICURED PARK TO BE PLACED IN THE TRANQUIL , NATURAL AREA OF THE TEES HERITAGE PARK).

Page 9

Para 3 Green Infrastructure: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. (ACCESSIBLE TO WHOM? - ONLY TO THE PUPILS OF YARM SCHOOL).

Page 12

Para 5: 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. (THE CREDIBILITY OF THE CURRENT APPLICANTS FIGURES ARE UNDER QUESTION – GIVEN THE LAST COUNCIL ESTIMATES FOR A TEES CROSSING).

Page 13

Para 3: 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. (I HAVE UNDERLINED PUBLIC –THE PUBLIC IS BEING EXCLUDED FROM THE SPORTS PITCHES AND PAVILION. THE REFERENCE TO INGLEBY APPLIES EQUALLY TO EAGLESLIFFE.)

Page 15

Para 1: Impact on the Green Wedge, Special Landscape Area and Tees Heritage Park.The Special Landscape Area site designation is designed to prevent developments that would (not) (MY BRACKETS -THINK THIS IS AN ERROR – “not” SHOULD BE DELETED) 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.

Page 23

Para 4: 8 1V 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.(MY UNDERLINING –“TRANQUIL” IS CRITICAL).

Page 25

Para 4: Saved Policy EN7. Development which harms the landscape value of the following special landscape area will not be permitted..... (b) Tees Valley. (THIS IS ALSO CRITICAL)

Page 26

Paras 1 & 2: (RE ANY) Presumption in favour of sustainable development - 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. (AMONGST NPPF SECTIONS MENTIONED AND CONSIDERED RELEVANT: ALSO SEE OUR SEPARATE REPORTS ON SOME OF THESE ISSUES)

Para 3: 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

Page 27

Para 6 (No 25) Environmental Protection and Green Wedges: 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. (MY CAPS AND UNDERLINE. NOTE “EVERYONE”, NOT YARM SCHOOL PUPILS, THIS IS CRITICAL).

Page 29

Para 2(No 33) Tees Heritage Park: 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..... Its value is recognised in adopted policy through the reference 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.....

Page 29

Para 2 (No 34) .Significant investments has been invested within the Tees Heritage Park through lottery funding. (ANY)benefits (OF THE DEVELOPMENT)would need to be balanced against the overall scale of the proposed development, its compatibility with the surrounding land and the urbanising effect of the site and its impact on the current tranquil character of the area.(MY BRACKETS AND UNDERLINE – THIS IS CRITICAL)

98. 8 letters of support were received from 7 different addresses 89 Riverslea, Stokesley, 27 Angrove Close, Yarm, 12 Lyn Close, Ingleby Barwick, 17 High Street, Hinderwell, Saltburn, 1, Town Farm Close, Winston, Darlington, 34 Northfield Drive, Stokesley, 5 Hawthorn Grove, Yarm.

on the following grounds: -

- Welcome easier access to the north bank of the River Tees. The Teesdale Way is relatively accessible from Eaglescliffe but, since moving to Yarm I have been struck by how difficult it is to cross to the Teesdale Way with the only access point via Yarm Bridge.
- Welcome the gift of the land on the bank opposite Yarm town centre as a public space. This is currently privately owned land and not available for public use.
- Yarm School's current playing fields at Green Lane are not adjacent to the school. Moving the playing fields closer to the school can only mean that traffic associated with sport is brought on to the school site rather than parking along Green Lane.

- Development of a public park on the land adjacent and with immediate access from the high street, this can only be beneficial to a high proportion of Yarm people.
- Fantastic circular walks would encourage more people to spend time in Yarm. The laying down of manicured playing fields and more structured paths would almost certainly enhance the amount and accessibility of wildlife.
- Footbridge will be much safer route to playing fields than existing situation.
- Development will be of benefit not only to the pupils at the school but also to members of the communities of Yarm and Egglecliffe.

Other representations

3 Mayfield Crescent, Egglecliffe, Orchard House, Church Road, Egglecliffe, 24 Castle Dyke Wynd, Yarm, St Annes House, The Green, Egglecliffe.

PLANNING POLICY

99. 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

100. 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

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

National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

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

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

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

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

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

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

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

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.
3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.
4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.
5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least

10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

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

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

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

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

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

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

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

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

Core Strategy Policy 6 (CS6) - Community Facilities

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

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

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

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

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

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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

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

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

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

- ii) Green wedges within the conurbation, including:
 - _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
 - _ Leven Valley between Yarm and Ingleby Barwick;
 - _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
 - _ Stainsby Beck Valley, Thornaby;
 - _ Billingham Beck Valley;
 - _ Between North Billingham and Cowpen Lane Industrial Estate.
- iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

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 EN24

New development within conservation areas will be permitted where:

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

Saved Policy EN25

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

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

Saved Policy EN28

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

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.

MATERIAL PLANNING CONSIDERATIONS

102. The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the impacts upon the character and appearance of the area, impact on the conservation area and heritage, highway safety, flood risk, ecology and nature conservation, archaeology and other material planning considerations.

103. The application is essentially made up of four component parts comprising 11 playing pitches for Yarm School together with an access for emergency vehicles; a new pedestrian bridge over the River Tees; creation of a public park, creation of a new public car park and pavilion associated with the playing fields. The following comments will consider the application as a whole making reference to the specific elements where applicable.

104. The National Planning Policy Framework (NPPF), adopted March 2012, sets out the Government's planning policies for England and how these are expected to be applied. NPPF states that great weight should be given to the need to create, expand or alter schools. It stresses that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. The NPPF also has a number of core planning principles including conserving and enhancing the natural environment and conserving heritage assets.

105. The site is designated Green Wedge. Core Strategy policy CS10.3 seeks to maintain the separation between settlements, along with the quality of the urban environment through the protection and enhancement of the openness of Green Wedges within the conurbation. The application site is situated within the River Tees Valley element of the Green Wedge separating the settlements of Egglecliffe and Yarm and is listed as a special landscape area on account of its unique landscape character.

106. The application site is also located within an area identified as part of the Tees Heritage Park. Core Strategy Policy CS10.7 supports initiatives to improve the quality of the environment in the area.

107. The application site also lies adjacent to and within the Yarm and Eggescliffe Conservation Areas. Saved Policies EN24, EN25, EN28, EN29 and EN30 which deal with new development and demolition in conservation areas and safeguarding the setting of listed buildings, scheduled ancient monuments and archaeology will be material in the consideration of the application.

Landscape and Visual Impact

108. In considering the impact of the proposed development reference has been made to the Stockton Borough Council Landscape Character Assessment. The site is described as an area of high to medium landscape and visual sensitivity with a low capacity for appropriate development. The 2008 Stockton Council Open space audit describes the site as having a unique/irreplaceable informal landscape with good visual amenity.

109. The site forms part of the River Tees Corridor Character Area identified as river corridor dominated green space with a flat valley plain and sloping valley sides up to Eggescliffe village.

110. Much of the land is managed as a large open arable field on the eastern and southern sections of the site, but the area to the North West gives way to a more parkland feel with informal groups of trees and rough grassland crossed by informal paths and tracks. The northern edge of the arable field rises gently up hill to more elevated ground just south east of Eggescliffe and is formed of smaller fields used for livestock that gradually give way to agricultural and residential buildings forming Eggescliffe village itself.

111. The area is also important for informal recreation containing the Teesdale Way, a long distance footpath and is designated as part of the Tees Heritage Park. There are also permissive access rights for fisherman on the site.

112. The Council's Urban Design Team has considered the proposal and their comments are detailed elsewhere in this report and are summarised below.

113. The development site is considered to be an area of unique high landscape quality, identified in the Stockton Core Strategy as Green Wedge between Eggescliffe and Yarm. The area is part of the Tees Heritage Park and contains the Teesdale way long distance footpath.

114. Having studied the various viewpoints it is considered that a noticeable effect on the landscape resulting from this development would be the visual change in land management from an agricultural landscape to a more managed landscape with sports pitches. This could be considered to be mainly a change in character as few of the existing landscape features would be lost and new areas of grassland and hedge and tree planting would bring added visual amenity to the area. However these changes and the introduction of the pavilion building and Access Bridge over the river Tees into this unique rural landscape would not constitute a significant visual impact.

115. Although it is stated in the landscape appraisal that the playing pitches are located on the flatter land to minimise alterations to the existing landform full details of this must be provided to assess the impacts on the landscape. It is understood that no flood lighting or ball catch fencing to prevent balls from falling into the river for example would be used for the playing pitches, however it should be noted that flood lighting and ball catch fencing would, if proposed, be an unacceptable visual intrusion into this landscape.

116. A footpath link from the bridge to the proposed public car park in Fibredec surface for adoption would be acceptable from a visual viewpoint provided it was unlit.

117. The pavilion building has been designed to reduce its visual impact by carefully siting it at the foot of the existing slope near existing trees and adopting a traditional style has helped to assimilate it into the landscape. When viewed from the Teesdale way the building appears

'agricultural' in nature set against the existing trees and therefore is not considered to be obtrusive in the landscape. Servicing of the building while likely to be low key would have to be considered and the provision and location of a septic tank needs to be explored.

118. The proposed new public car park located on the west of the site is considered acceptable from a landscape and visual viewpoint.

119. In conclusion the Head of Technical Services has no objection to the proposal in landscape and visual impact terms subject to appropriate controlling conditions.

120. In terms of Policy CS10, it is considered that the proposal will not result in the coalescence of settlements and will not harm the openness or amenity value of the Green Wedge and will enhance public access. The uses considered appropriate within green wedges are those that ensure their open aspect is retained and require only limited built development such as sport and recreation, and it is considered that the proposal would comply with the provisions of Policy CS10. It should be noted that the Tees Heritage Park currently contains school sports pitches and golf courses and sports uses within the Heritage Park.

121. It is considered that the limited loss of agricultural land to be replaced with natural grass playing fields would not detrimentally alter the character of the Tees Heritage Park, and as previously outlined the provision of a public park along with improved public access to the land and river will provide for greater opportunities for public recreation. In terms of promoting tourism the proposals have also been designed to ensure that the river traffic can freely navigate the river.

Heritage

122. The application site is large with the potential to impact upon numerous heritage assets in the area. English Heritage has considered the impact of the proposals upon:

- the setting of the two conservation areas, Egglecliffe and Yarm;
- the setting of the scheduled Round Hill on the opposite side of the River Tees;
- the setting of the scheduled Yarm Bridge.

123. English Heritage's comments are set out in full in the consultation section in this report and a summary is provided below.

124. The site mainly consists of a large swathe of agricultural land of varying character and topography. The open nature of the land is an important element of the setting of both settlements. It is noted that the proposal does not include provision for individual pitch fencing or lighting: the only boundaries proposed are to delineate the extent of the two sites and would be planted to soften the edges. Any further fencing or the introduction of any lighting would have a significant detrimental impact upon the open, rural character of the land and thus the setting of the above heritage assets.

Car Park:

125. The proposed change of use of a disused haulage yard to public car park would not negatively affect the setting of Yarm Bridge nor the significance of the Egglecliffe Conservation Area.

Bridge across the River Tees:

126. The proposed bridge, linking the school and public footpath with the proposed Public Park and playing fields offers the opportunity for an exciting addition to the landscape. The proposed design is a simple curve in timber which would weather down and develop an attractive patina. The

vegetation proposed around the shoulders of the bridge is critical in reducing the visual impact of the ramped accesses.

Sports pavilion:

127. The scale and form of the proposed pavilion building has been amended in light of concerns expressed in response to the previous planning application. Whilst the building would sit within an area of mature vegetation, the siting, design and levels of light pollution need to be carefully considered.

Playing pitches:

128. This large area of almost flat land sits in the bend of the river and forms an open, rural setting to the Yarm Conservation Area to the North West and the scheduled Round Hill to the east. Yarm is significant as an outstanding example of a market town: characterised by a wide market place with burgage plots running away to the river at right angles to the main route. Principal buildings line the market place/High Street whilst buildings of lower status step down in scale towards the river. Despite more recent developments, the traditional grain of development in Yarm still follows this pattern although the grain in the south-east of the conservation area changes at the Yarm School site. The agricultural land to the east of Yarm makes an important contribution to the significance of the conservation area. The bend of the river tightly contains the settlement whilst later development has occurred along the key routes to the north and south. As proposed, with no fencing (save the planted boundary around the site) or lighting, in my opinion the playing fields would cause no harm to the setting of the conservation area. The open nature of the site would be retained and, whilst the character of the area would change from 'wild' to 'managed', this could change within its current agricultural use.

129. English Heritage note that the previously proposed pitches adjacent to Egglecliffe village have been removed from the proposal and consider this is a positive step.

130. Comments have been made by consultants representing Egglecliffe Area Residents Association (EARA) with regards to the level of detail submitted with the application in that it is inadequate to properly consider each heritage asset and assess the potential effect of the proposal upon those assets.

131. It is considered that the information submitted by the applicant adequately and proportionately sets out the significance of the heritage assets that have the potential to be affected by the development proposals. The level of information submitted by the applicant, available on site and through desk based work is considered sufficient to fully consider the impact of the proposals on the heritage assets in and around the site and the application meets the statutory requirements in regards to the level of detail submitted.

132. English Heritage has provided comments in relation to the application and raises no objection in principle. It is considered that the level of information submitted has allowed the Local Planning Authority to reach a reasoned conclusion on the impact of the heritage assets and fulfil the requirements of the NPPF.

133. It is not considered that there will be an adverse impact on heritage assets as a result of the proposals and the application is considered to accord with saved policies EN24 and EN28.

Other Matters

134. In terms of the operation of the pitches and potential impact, all access to the pitches will be controlled by the school. Yarm School are agreeable to a condition preventing the usage of the pitches beyond 18:00 hours which is duly recommended.

135. Comments have been made in respect of the distances of the existing and proposed pitches. The distance between Yarm School and its existing sport pitches at Green Lane is approx 1.5km. The distance between Yarm School and the proposed sports pitches is approximately 400 metres. The school has put forward the case that by moving the pitches closer to Yarm School, this will minimise travel allowing more time for sport and also significantly improving pupil safety by removing the need for pupils to cross a number of roads (often unsupervised) to reach the Green Lane site.

136. In terms of public use of the pitches, the School has stated that community use is not proposed due to the management issues, in particular the schools ability to control and manage parking. Yarm School however state that it is already committed to providing community use through inter-school and club competitions organised and run by the school. At present, the School plays local rugby clubs and District select teams at their facilities which are welcomed by the RFU. They also run District netball competitions on the school site as well as providing sports taster days for local primary schools. This would continue following the proposal and may potentially be expanded.

137. As these events would be managed by the School they will have greater control over parking arrangements and can ensure that any restrictions, such as operating hours, attached to any permission are adhered to. No dedicated parking is required for the pavilion given the nature of the proposed use. The pavilion is not an entertainment venue and will be used to provide shelter, storage for rugby posts, pads and limited changing for facilities for cricket between innings.

138. Parents/visitors will not be permitted to drive to the pavilion. The proposed sports pitches will have no effect on local parking during the normal school day as the facility will only be used by pupils and staff. A condition covering car parking and events management is recommended.

139. The School state that operationally pupils will arrive and change at the School then cross the bridge to play a match, then return to the main school to get changed and have post match refreshments. The car parking and events management plan condition will ensure that Yarm School will be the focus for events and that all cars are parked within the school site which has a 250 space capacity. In particular, the Plan will ensure that the School:

- i) Informs opposing teams about traffic and parking arrangements in advance
- ii) Instructs all parents that pupil drop-off and pick-up is strictly to take place within the school grounds
- iii) Provides appropriate signage and stewarding of the car parking arrangements.

140. In addition, the emergency/maintenance access from Egglecliffe will be secured by a locked gate which will prevent parents from accessing the pitches. During construction all site operatives will be required to park on the proposed car park site and walk to the site.

141. It should also be noted that the relocation of the sports pitches will ensure that parking on the footways along Green Lane that currently occurs during the use of the existing pitches will no longer take place and this would benefit road users of Green Lane. The details of the gate and construction operations are the subject of a recommended control condition.

142. Comments have been made in relation to refuse. The School state that very limited waste will be created at the pavilion. All refuse will be transferred to the main school site by foot via the proposed bridge and disposed of as part of the main school refuse collection. The details of the refuse arrangements are the subject of a controlling condition.

143. In terms of the pedestrian bridge, detailed construction matters are subject to a controlling condition requiring the submission of details prior to the commencement of construction.

144. In terms of crime and disorder, Cleveland Police have raised no issues in respect of the proposed development. The School has also stated that they will actively monitor both sides of the river.

145. In respect of disabled users, the proposed footbridge will meet all DDA requirements. To minimise any adverse impact on the amenity of the residents, the revised bridge (excluding ramps) is set over 18.m approximately away from the residential properties at Atlas Wynd. It is considered that this separation distance is acceptable given the transitory nature of use and additional landscaping to further screen the bridge will also mitigate any potential impact.

Ecology and Nature Conservation

146. The application is accompanied by a Phase 1 Habitat survey which confirms that the development area comprises arable land, scrub, species poor semi-improved grazing land, mature hedgerow, mature woodland and vegetation associated with the riparian corridor and areas of unmanaged parkland. The development will result in the loss of 11.5ha of agricultural land, however these fields are intensively managed and sprayed with limited ecological value and no protected species have been recorded as resident within the site. Existing trees and shrubs will be largely retained and landscape enhancement works proposed which will result in an overall net increase in biodiversity provision across the site.

147. Appropriate mitigation measures are proposed and Natural England has examined the proposal and advises that the proposal is unlikely to have an adverse effect on protected species subject to the imposition of conditions to provide the control sought by Natural England.

148. Whilst there will be some tree loss, to accommodate the bridge and car park for example, the landscape management and tree planting scheme will not only compensate for any loss of trees but will enhance and strengthen tree cover in the long term across the site.

149. During construction suitable mitigation measures will be put in place to ensure that no trees that are proposed to be retained will be damaged.

Flood Risk

150. In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies the site falls within Flood Zone 1, 2 and 3. All the built development (pavilion and bridge) will be located outside Flood Zone 3 as well as the emergency access track and car park.

151. The submitted Environmental Statement covers Flood Risk and concludes that the playing pitches, car park and pavilion are not considered likely to impact on surface water runoff and associated water quality. Mitigation measures, including sustainable drainage techniques, will be utilised to attenuate and treat surface water runoff before discharging into the watercourse. This will result in a negligible impact on the receiving watercourse.

152. Comments have been made by consultants representing Egglecliffe Area Residents Association (EARA) with regards to Flood Risk and state that the proposed development will be at risk of extreme flooding, could not be operated safely, would increase flood risk elsewhere and is therefore not compliant with the requirements of the NPPF.

153. It should be noted that the provision of 'playing fields' is considered in NPPF to be appropriate within Flood Zone 3b and the site is considered to be sequentially preferable in that the proposed site meets the specific needs of Yarm School for playing pitches to be in close proximity to the existing school site and thereby avoiding the need for pupils to cross busy roads or be transported and consequential impact on other curriculum activities. Furthermore the flood risk and health issues have been fully considered and the proposal has been considered by the Environment

Agency and Environmental Health and have no objection to the proposal subject to appropriate controlling conditions.

154. In terms of site contamination the Environment Agency and Environmental Health has no objection to the proposal subject to appropriate controlling conditions. Accordingly the proposal does not conflict with Planning Guidance in respect of contaminated land.

155. Concerns have been expressed about noise disturbance when matches are under way. The Environmental Statement concludes that the noise from the sports pitches on the existing noise climate will only be for short durations whilst sport is taking place. A condition limiting the use of the pitches and pavilion up to 18:00 hours all year round is recommended.

156. The School also state that it is envisaged that even assuming a worst case scenario that all pitches are being used (which will only occur less than 10 times a year) noise from the pitches will quickly dissipate with pitch noise being only occasionally audible at 100m and unlikely to be audible at 200m, so any impact on the tranquillity of the area will therefore be relatively contained. Even when directly passing the pitches the noise levels will not be significant.

157. The Environmental Health Manager had concerns in respect of the impact of pitch noise on the nearest pitch to Denevale. To address this concern a planning condition is recommended to remove this pitch from any consent. The Environmental Health Manager has no objection to the proposal subject to the imposition of this condition.

158. In respect of archaeology Tees Archaeology has considered the proposal and raises no objection to the planning application subject to an appropriate controlling condition.

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

160. The NPPF defines the best and most versatile agricultural land as being Grades 1, 2 and 3a. The current site is partly in agricultural use on land which is classified as grade 3b which is moderate quality agricultural land. "Land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year" and the loss is therefore not considered to be significant enough to warrant refusal on this ground alone.

161. Concerns have been raised in respect to lighting. No lighting for the sports pitches has been sought as part of the proposal. The proposed sports pitches will only be used during daylight hours.

162. Land ownership has also been raised. The applicant has sought legal advice which confirms that notice has been served on all relevant parties relating to the planning application.

Means of Access, Parking and Traffic Issues

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

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

Access for Emergency / Maintenance Vehicles

165. An access track to the sports pitches for emergency and maintenance vehicles would be required. The proposals utilise an existing farm track accessed from Egglecliffe Village. The transport assessment that this would generate an average of 3 to 4 maintenance vehicle trips per week, which is similar to the current agricultural use.

166. The track would be gated to prevent visitors to the playing pitches using the access. Subject to suitable restrictions being put in place to prevent unauthorised access there are no objections in principle to the use of this track for emergency and maintenance vehicle access only.

167. The assessment concludes that as the sports pitches are for the sole use of Yarm School they would not generate any additional vehicle trips on the road network. It also notes that all vehicular trips associated with the pitches would be focussed on the school and therefore no school traffic would use Egglecliffe Village. It is assumed that activity associated with the sports pitches would be relative to existing activities (on Green Lane) and there are no proposals to use the sports pitches outside school hours. This should be set out in a Car Parking Management Plan to ensure that there is no parking demand associated with the sports pitches displaced into Egglecliffe Village or Yarm High Street.

Footbridge

168. A footbridge is proposed which would connect Yarm School to the playing fields and provide public access from Yarm High Street to the Teesdale Way and the proposed public car at the northern tip of the site. The new footway / cycleway to adoptable standards from the bridge to the proposed public car park would follow a different route to the existing riverside footpath. This would create a new circulate route allowing walkers to follow a short loop from the new footbridge along the Teesdale Way.

169. The bridge connects to Yarm High Street via an existing Public Right of Way (PRoW) at Atlas Wynd. Atlas Wynd is promoted on the Stockton Cycle Map as an advisory cycle route.

170. The existing PRoW at Atlas Wynd is too narrow to accommodate a cycle link to the proposed bridge across the River – an improved route to the bridge would further encourage people to use this route, therefore assisting the sustainability of the playing fields site and the wider area.

171. The bridge alignment provides sufficient space to provide an acceptable width route to the bridge. If approved, a condition should be put on this development, requiring that the route from the bridge to Atlas Wynd is increased to a minimum width of 2.5m prior to the bridge and playing fields/pavilion coming into use.

172. This would provide an essential cycle link to ensure the sustainability of not only the public open space adjacent to the proposed playing fields, but will also provide a sustainable travel link between Egglecliffe and Yarm, avoiding the busy High Street.

Public car park

173. The car park would provide 34 long-stay parking spaces. Access to the car park would be via an existing junction onto the A67/Urley Nook Road.

174. It is proposed that the car park is open between the hours of 07:00 and 19:30 and a barrier would be put in place at the entrance to restrict use outside of these times for the benefit of residents in the adjoining apartment block. If vehicles get locked within the car park after 19:30 a release telephone number would be provided and a fee charged for the release. The details of the car park management proposals and barrier should be secured by condition.

175. Access to all users (including disabled) should be available from the car park to the High Street. Any restrictions put in place at the car park entrance (e.g. barrier) should not block access. A revised drawing has been submitted of the car park which shows a link to the PRoW from the car park entrance. This ensures that pedestrians have a segregated route past the vehicular access and is acceptable. The revised plan also demonstrates that two disabled spaces can be accommodated within the car park.

176. At the eastern boundary the car park provides a pedestrian / cycle connection which would link the car park to the Teesdale Way and the new bridge via a new footway / cycleway.

Sports Pitch Car Park Management Plan / Travel Plan

177. The transport assessment states that Yarm School would prepare and implement a Sports Car Park Management Plan to describe how parking for the sports pitches would be managed, including if any large sporting events are held. The principles of the Car Park Management Plan have been outlined by the applicant as follows:

Pupils would arrive and change at Yarm School and return to the school to get changed and have post match refreshments; and

The management plan would ensure that Yarm School would be the focus for events and all cars for sports events would be advised to park within the school site which has 250 spaces.

178. Details within the Plan would include:

Information that would be sent in advance to any visiting schools about parking arrangements; Information for parents that outlines that pupils must be dropped off / picked up from within the School; and Details of signage and stewarding to control traffic and parking for major events.

179. This should be incorporated within the existing School Travel Plan and should be submitted and reviewed by the appropriate Council officer. This requirement should be a condition if the planning application is approved.

Construction Management Plan

180. It is anticipated that the bridge and pavilion construction would incur the greatest volume of heavy goods traffic and as this is programmed to last up to 4 months, it is acknowledged that the impact would be temporary. The Construction Management Plan, which should be provided as a condition of development and approved prior to construction commencing on site, needs to identify suitable measures to mitigate as far as reasonably possible against any temporary adverse impacts.

181. A key issue for this application is that the construction of the pavilion and sports pitches could result in vehicles parking in Egglecliffe Village / HGVs travelling through the village. The TA forecasts that during construction there would be a maximum of 10 HGV movements per day (5 in / 5 out).

182. HGV access should be restricted to outside peak hours – the Construction Management Plan proposes 9:30am – 3pm Monday to Friday and between 9am -2pm on a Saturday with no access on Sunday's or Public Holidays. These HGV access time restrictions should be put in place as part of the Construction Management Plan to be conditioned if planning approval is granted.

183. The applicant notes that the bridge would be constructed by crane and river barge. It is suggested that there is a 5-metre access strip on the Yarm School side of the river which would allow vehicular access to the landing point of the bridge. Plans should be provided within the

Construction Management Plan which clarify that this location is accessible for a construction vehicle without blocking the public highway. The Plan should also clarify whether construction of the bridge would impact upon the operation of the High Street and consideration should be given to working outside peak hours (and would be subject to prior written approval of the Council if outside the agreed workings hours identified in the Construction Management Plan).

184. To summarise, there are no highway objections in principle to the development but the following requirements / planning conditions are required if planning permission is granted:
The submission and agreement of a Car Park Management Plan (linked to the School Travel Plan) and associated measures by condition to discourage parking within Eggescliffe Village;
Details of the gated access and signage to prevent unauthorised vehicle and pedestrian access from Eggescliffe to the playing pitches and pavilion;
Details of the car park management proposals and proposed barrier to restrict use of the car park to permitted hours only should be submitted and the requirement for this information should be secured by condition;
The development is required to connect to existing Public Rights of Way and the connection / improvements to any right of way should be provided in accordance with Council specifications;
and a Construction Management Plan should be provided and approved by the Council before construction commences on site. This should include details of off-site construction staff parking proposals, access proposals, traffic management proposals, confirm hours of construction and propose appropriate mitigation measures.

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

Environmental Statement.

186. The Local planning authority is responsible for evaluating the Environmental Statement to ensure it addresses all of the relevant environmental issues and that the information is presented accurately, clearly and systematically. It is considered that the authority has in its possession all relevant environmental information about the likely significant environmental effects of the project to make a decision whether to grant planning permission.

187. External consultees have also confirmed that they are satisfied with the information submitted adequately addresses the impacts of the proposal and identifies appropriate mitigation.

CONCLUSION

188. The proposed development has been considered in the context of the Environmental Statement, consultee and consultation responses, The impacts of the proposal have been considered against national and local planning guidance and the development as proposed is considered to be in line with general planning policies set out in the Development Plan, is acceptable in terms of highway safety, does not adversely impact on the neighbouring properties and character of the Conservation Area, Heritage assets, ecological habitat, archaeology, flooding and is recommended for approval with conditions.

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

WARD AND WARD COUNCILLORS

Ward **Eggescliffe**
Ward Councillor **Councillor A L Lewis**

Ward **Eggescliffe**

Ward Councillor **Councillor Mrs M. Rigg**

Ward **Eaglescliffe**
Ward Councillor **Councillor Phillip Dennis**

IMPLICATIONS

Financial Implications:

As Report

Environmental Implications:

As Report

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

