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**STOCKTON ON TEES BOROUGH COUNCIL**

**Outline application for the erection of Ingleby Manor Free School  
and Sixth Form and residential development (350 dwellings)  
including means of access.**

**Land at Low Lane, High Leven, Ingleby Barwick, TS15 9JT**

**Appeal Reference: APP/H0738/A/13/2192538  
Council Reference: 12/2517/OUT**

**PROOF OF EVIDENCE OF SIMON GRUNDY BSC (Hons),  
MTP(UC) , MRTPI**

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## **PROOF OF EVIDENCE OF SIMON GRUNDY BSC (Hons), MTP(UC) , MRTPI**

### **1.0 Qualifications and Experience**

- 1.1 My name is Simon Grundy. In 2002 I graduated with a BSc (Honours) degree in Geography and Business Management Studies. In 2004 I then graduated with a Masters degree in Town Planning and Urban Conservation
- 1.2 I am currently employed by Stockton-on-Tees Borough Council as Area Team Leader, within the Planning Services Section of the Authority. I have held this role since November 2009. My employment with Stockton-on-Tees Borough Council began in 2004 and I have previously held the posts of Planning Officer and Senior Planning Officer with the Authority. I am also a member of the Royal Town Planning Institute (RTPI).
- 1.3 I have been the case officer for the appealed application currently under consideration as part of this appeal and was also responsible for the presentation of the application and recommendation to the Council's Planning Committee. I am working with a colleague who has been dealing with the pre-application discussions surrounding the search for temporary accommodation for the proposed Free School to serve Ingleby Barwick.

### **2.0 Scope of Evidence**

- 2.1 The scope of my evidence is to:
  - Provide a description of the character of the appeal site ("the Site") and its surroundings and the planning history for the Site (pending agreement on a planning Statement of Common Ground – "SoCG");
  - Explain the Council's first reason for refusal based on its policy of protecting and the maintaining the openness of the green wedges, thereby preventing the coalescence of settlements, given that the Site is currently a "greenfield" lying outside of the existing settlement boundaries of Ingleby Barwick and is defined as green wedge under the adopted 1997 Local Plan proposals map and CS10 of the Core Strategy;
  - Discuss the amenity value of the Site; and
  - Raise concerns regarding the linkage between the housing part of the appealed application and the delivery of the Free School.

- 2.2 My evidence has also taken account of the Proof of Evidence by my colleague, Mrs Rosemary Young, the Council's Spatial Planning Manager, which addresses the planning policy justification of the green wedge, housing land supply and the requirement for affordable housing.

### **3.0 The Site and its Surroundings**

- 3.1 The Site lies in close proximity to the south eastern boundary of the existing settlement of Ingleby Barwick and is approximately 1.3km (walking distance) to the south of Ingleby Barwick's Local Centre. The Site is bounded on the western boundary by Barwick Way and on the southern boundary by Low Lane.
- 3.2 The Site measures approximately 18.2 hectares and is currently a series of former agricultural fields that are generally bounded by hedgerows and wire fencing, with a larger hedge fronting onto Low Lane at the southern end of the site. The limits to development are bounded by the opposite side of Low Lane which has both an agricultural and rural character which filters across and helps to typify not only the Site but several areas within the surrounding area, giving the site its urban fringe character.
- 3.3 The rear elevations of residential properties (Regency Park and Priorwood Gardens) bound the Site to the west and north west respectively and an area of land will remain between the northern area of the site and further residential properties on Priorwood Gardens. A small group of former farm building known as 'Little Maltby Farm' (Grade II listed) and the dwelling of 'Leven Lea' form the eastern boundary of site. Low Lane runs to the south of the site and a small collection of residential and commercial properties lie on the opposite side of Low Lane, including a petrol filling station and retail shop. On the opposite side of Barwick Way (to the west), lies Windmill Park and the Ingleby Mill Primary School and associated car park and playing fields.

### **4.0 Planning History**

- 4.1 The land forming the Site was originally envisaged as being "Village 7" of Ingleby Barwick. However, this "Village" was later removed from the Masterplan and the development of Ingleby Barwick as a whole proceeded as 6 villages.
- 4.2 Planning approval then followed for an 18-hole golf course and driving range, originally approved with outline planning consent in 1990 (ref; 90/1965/P) and was followed by an application in 1994 for the provision of a golf driving range, new access, services building and 30no. driving

bays (ref; 94/0385/P). These consents were reapplied for in 1997 and renewed in 2000 and 2003, with the consents finally expiring in September 2006.

- 4.3 In August 2006 outline planning permission was then sought for a mixed-use development (ref; 06/2593/OUT) comprising of a family focussed public house, play barn, lodge and children's nursery. This application was withdrawn, following concerns over the loss of a greenfield site, the impacts on the green wedge, residential amenity, the open character of the Site and failing to satisfactorily demonstrate that the scheme would not have a detrimental impact on archaeological remains.

## **5.0 Planning Policy Considerations**

- 5.1 The main policy considerations are set out within the refusal notice issued on the 6<sup>th</sup> February 2013. Copies of the of the development plan policies from the Council's Local Plan and the Core Strategy are to be found in the Council's Appeal Questionnaire response, and, as Core Documents 1 and 2.

- 5.2 These are:

Core Strategy policy CS2 (Sustainable Transport and Travel)  
Core Strategy policy CS3 (Sustainable Living and Climate Change)  
Core Strategy Policy CS8 (Housing Mix and Affordable Housing)  
Core Strategy policy CS10 (Environmental Protection and Enhancement)  
Saved Local Plan policy HO3 (Development on unallocated sites).

- 5.3 Emerging policy is also to be found in the Council's Draft Regeneration and Environment LDD (Core Document 6). This has reached the stage of completion of the consultation on a Preferred Options Draft. The Site continues to be identified as a Green Wedge under the Draft Strategic Policy 4 (SP4 - Green Wedge).

- 5.4 The following advice in the National Planning Policy Framework (NPPF) is also relevant to the determination of this appeal:

Section 1. Building a strong, competitive economy  
Section 2. Ensuring the vitality of town centres  
Section 4. Promoting sustainable transport  
Section 6. Delivering a wide choice of high quality homes  
Section 7. Requiring good design  
Section 8. Promoting healthy communities  
Section 10. Meeting the challenge of climate change, flooding and coastal change

Section 11. Conserving and enhancing the natural environment  
Section 12. Conserving and enhancing the historic environment

- 5.5 In respect of the Free School, paragraph 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that this should be reflected in policy and planning decisions.
- 5.6 Advice is also found in the Ministerial Statement *planning for schools development* (August 2011). It applies to both change of use development and operational development necessary to the operational needs of the school. It advises that there should be a presumption in favour of the development of state-funded schools, as expressed in the NPPF; that local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions; and that the Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision. Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.
- 5.7 Policy issues relating to Green Wedge, Affordable Housing and Masterplanning are further addressed in the evidence of Mrs Young. They will also be addressed in the SoCG (currently still in draft).

## **6.0 Issues surrounding the Council's reasons for refusal**

- 6.1 *Impact on the openness of the Green Wedge;*
- 6.1.1 Green wedges are a local designation to which the Council attaches significant importance. Their protection is set out in Core Strategy policy CS10 which is based solely around Environmental Protection and Enhancement. Section 3 of this policy sets out that the separation of settlements and quality of the urban environment will be maintained through the protection and enhancement of areas, including those that are identified as 'green wedges'. In this instance "the Green Wedge" encompasses a wide section of land running along Low Lane and north along Thornaby Road with its purpose to separate the settlements of Ingleby Barwick and Thornaby. Furthermore, Objective 8 of the adopted Core Strategy is *'To protect and enhance the Borough's natural environment and to promote the creation, extension and better management of green infrastructure and biodiversity, taking advantage of the Borough's special qualities and location at the mouth of the River Tees.'* Included in the associated explanatory text is the following: *'The strategic gaps and green wedges that prevent the coalescence of built-*

*up areas will be retained as important components, forming part of wildlife corridors and these will be improved and managed to strengthen their value.'*

- 6.1.2 The protection of the natural environment is also seen as a core element of the definition of sustainable development and forms a key part of guidance within the National Planning Policy Framework.
- 6.1.3 Section 11 of the NPPF sets out the Government's objectives in terms of conserving and enhancing the natural environment. Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment through amongst others, protecting and enhancing valued landscapes. It goes on to state that distinctions should be between the hierarchy of international, national and locally designated sites ensuring that protection is commensurate with their status and gives appropriate weight to their importance and contribution to wider ecological networks (Paragraph 113).
- 6.1.4 The Site continues to be identified as a Green Wedge under the Draft Strategic Policy 4 (SP4 - Green Wedge), within the Council's Regeneration and Environment LDD Preferred Options draft and although a number of representations have been received to modify the boundaries of green wedge designations it is noted that the review did not recommend any alteration to the boundary of the Green Wedge at Little Maltby Farm. Whilst it is acknowledged that this policy can only be afforded limited weight at this moment in time, it is my opinion that the retention of this Site's openness and the therefore the separation of the settlements of Ingleby Barwick and Thornaby is of key importance, within the development plan context.
- 6.1.5 The Site lies outside the current settlement boundary of Ingleby Barwick. It reads, both physically and in policy terms, as an urban fringe site. It has been reviewed in the most recent Stockton Borough Council Landscape Character Assessment (26th July 2011) (Core Document 11) as having a medium landscape value with a medium capacity for appropriate development (Core Document 10).
- 6.1.6 The contribution of the Site, as part of the Green Wedge, is best assessed following a site visit. Either as part of the SoCG a series of agreed viewpoints will be presented to help the Inspector's deliberations and recommendations to the Secretary of State, or, by the Council alone a list of viewpoints will be submitted prior to the Inquiry for the Inspector to use both for his informal pre-Inquiry as well as his formal Inquiry site visits.
- 6.1.7 First, while the Council acknowledges that this section of the Green Wedge is relatively wide (Core Document 13) and that the proposed development (in the form presented in the appealed application) would still retain some element of separation between Ingleby Barwick and Thornaby/Teesside Industrial Estate, nevertheless, the scale of the

appeal proposals is still significant. This would result in the physical reduction of the Green Wedge and an irreversible change in its character from open grazing/informal recreational land with an agricultural “feel” to one of built development with associated landscaping. Its function would be significantly diminished.

6.1.8 Secondly, although the impacts of the proposed development can be mitigated through buffer landscaping such screening would take at least 15 years to reach maturity. Therefore, the proposed development would remain visible from the surrounding highway network during this time. Particularly from locations along Thornaby Road, the resultant effect would bring the development much closer to Thornaby and Teesside Industrial Estate in the short to medium term.

6.1.9 In the longer term and although screened it would remain evident that built development had been brought much closer to Thornaby simply through the presence of the tree belts and buffer landscaping. Indeed, it will still be apparent from the wider highway network that an area of development ‘lurks’ beyond and as a consequence the development will not sit comfortably against agricultural nature of both the remaining and former farmland of the surroundings.

6.1.10 Thirdly, the aspirations of the Appellants are for further development in the vicinity of the Site for up to circa 1,400 dwellings being applied for in total depending on densities, design and layout and highways constraints. Accordingly, the appealed application and its impacts should not be viewed in isolation; as a representative of the Council’s Development Services team I express our concerns about the acceptability of the proposed development in its current form without a Masterplan led approach.

6.1.11 Accordingly, both in the view of the Members, and, in my professional opinion, harm would occur as a result of the proposals, not only to the role and function of the Green Wedge but also to the general openness and landscape quality of the surrounding environment. Therefore, if granted, the proposal would be contrary to the Government’s objectives and definition of sustainable development by failing to meet with the environmental and social roles as detailed within the Framework (NPPF) and the objectives of the Core Strategy, including policy CS10.

## 6.2 *Amenity value of the Site*

6.2.1 Paragraph 123 of the NPPF sets out a number of criteria that planning policies and decisions should consider and aim to achieve. Included within them is to “*identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value*”.



- 6.2.2 Resulting from its previous land use (agriculture) and its designation as Green Wedge the Site has remained undeveloped. As a consequence this area has maintained an element of peace and quiet.
- 6.2.3 The development of Ingleby Barwick has left relatively few areas of open space within it and those areas of Green Wedge that lie on its periphery are considered to have significant importance not only in their role of separating areas of development but also in offering the opportunity of informal recreation.
- 6.2.4 It is particularly evident from visits to the Site that the land is used for informal recreation not only as a result of the public right of way but also through a series of desire lines than exist across the Site.
- 6.2.5 As the Site is actively used by the nearby residential population for recreational purposes the amenity value the Site has, by default, strengthened the justification for the physical and visual break from development. This strong social benefit is a material planning consideration that weighs in favour of protecting the land in its current form free from a development of the proposed scale and magnitude.

### *6.3 Deliverability of the Free School*

- 6.3.1 Concerns also remain over the deliverability of the Free School, both in its temporary and permanent forms, within the prescribed timescale of opening i.e. at the start of the appropriate academic year commencing with September. At the time of preparing this Proof, there still remains no formal announcement or any firm commitment that the required funding will be provided for the school to open even in its temporary form, let alone the necessary funding to deliver built development on the Site.
- 6.3.2 Although it is proposed that the Free School will first open within temporary accommodation, the location of which, at the time of writing this proof, is the subject of confidential pre-application discussions, significant work will still be required in order to make the accommodation fit for purpose and meet the required needs and standards for an educational facility. It would be expected that such work would, as a minimum, require the provision of classrooms, a hall/dining area, student washrooms, staff washrooms and office/recreational space for staff. The buildings would also be required to meet with regulations for heating, lighting, ventilation, decoration and floor coverings.
- 6.3.3 Furthermore, I am advised that the extent of work required in converting candidate premises could, typically, take 3-6 months. Therefore, it is realistic to expect that, with the timescales required for the conversion of any temporary building, the earliest the School would be able to open would be September 2014.

6.3.4 In the absence of further information, the Inspector cannot confidently report to the Secretary of State on the weight that should be given to the Free School provision as an important material consideration to weigh against the current development plan restraint policies.

## **7.0 Summary and Conclusions**

7.1 The Site measures approximately 18.2 hectares and is currently a series of former agricultural fields that are generally bounded by a series of hedgerows and is classified as urban fringe. The overall scale of the development is considered to be significant and would result in the erosion of the green wedge and a irreversible change in its character from open grazing/agricultural land to one of built development. Although the proposed buffer planting would help to soften the development over time, this would take 15 years to reach maturity. The proposed development would therefore remain visible from the surrounding highway network, thereby bringing about the coalescence of Ingleby Barwick and Thornaby.

7.2 Although the boost to the supply of housing and the provision of a Free School would have social and economic benefits in favour of the proposal, no evidence has been provided as to why the benefits associated with a Free School cannot be achieved without coupling this proposal to a proposed residential development on the scale of 350 houses.

7.3 Whilst the benefits of the proposed development in terms of the requirements of the NPPF and Ministerial Statement are acknowledged it is considered that significant weight should still be attached to development plan and emerging planning policy that protect the area of land within which the Site sits as a green wedge.

7.4 As harm that would arise from the urbanisation of the land, resulting in the coalescence of the settlements of Ingleby Barwick and Thornaby, and, have an adverse impact on the open character and amenity value of the Site and the Green Wedge, significant environmental and social benefits need to be weighed against the housing and educational benefits of the appeal proposals.

7.5 The sketchy evidence of their physical deliverability within the next five years also weighs against the grant of planning permission at this time.

7.6 In the light of the above, I submit that the appeal proposals would have a detrimental impact on the openness, character and amenity value of the green wedge and consequently that, the proposed benefits of the scheme would not outweigh the resultant harm.

7.7 For these reasons I respectfully request that the Inspector be minded to recommend to the Secretary of State that this appeal be dismissed.