

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**4 JUNE 2013**

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

**12/1990/EIS**

**Land South Of Green Lane, Yarm,  
Outline application for residential development for up to 370 dwellings,  
additional railway station car parking, access, infrastructure, open space and  
landscaping (all matters reserved except for access)**

**Expiry Date: 23 November 2012**

### **SUMMARY**

This application was due to be considered at the 10<sup>th</sup> April Planning Committee but was deferred following the announcement by Tesco that it was no longer pursuing an extension to its store in Ingleby Barwick. The Tesco extension contributed significant funding towards road improvements in Ingleby Barwick which provided additional capacity on Ingleby Way and Myton Way (known as the Ingleby Barwick 'western improvements'). These improvements were taken into account in the assessment of Traffic Impact associated with this planning application and were included in the transport model which has been developed to assess the impact of this application.

The Head of Technical Services has now had an opportunity to assess the full impact of this loss of mitigation in Ingleby Barwick and his findings are set out in this report.

This application was originally submitted for Outline Planning permission for up to 735 dwellings, however a separate application for the relocation of Yarm School sports pitches (12/2568/EIS) was refused and therefore the applicant no longer proposes development on the sports pitches and the number of residential units has been reduced to up to 370 with associated expansion of Yarm Railway Station Car Parking and associated open space and landscaping on land at Green Lane, Yarm. The application is in outline with all matters reserved except for access. The application proposal is, therefore to establish the principle of the development.

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

A Design and Access Statement and an Illustrative Masterplan have been prepared to demonstrate the layout and design principles for the site with detailed plans submitted for the proposed means of access from the public highway.

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

residents, the impact on the highway network and highway safety, flood risk, ecology and nature conservation, archaeology and other material planning considerations.

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

A significant material consideration is the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF provides that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." (Para 49).

The Council cannot demonstrate a 5 year supply of housing land. The Council has recognised that because of changing economic circumstances and the reductions in the public funding available to support regeneration schemes, the housing strategy in the adopted Core Strategy will not deliver the housing requirement for the Borough. Although the Council retains very strong regeneration aspirations, it is firmly committed to achieving the housing requirement for the Borough to 2029. For this reason the Council decided to undertake a review of housing options. This review encompasses the housing spatial strategy and the housing distribution and phasing policy as well as aspects of the housing mix and affordable housing provision policy. This process formally began with the Core Strategy Review of Housing - Issues and Options, public consultation held over a 12 week period in summer 2011.

The results of the Core Strategy Review of Housing have been incorporated into the Regeneration and Environment Local Development Document Preferred Options draft. This document was formally consulted on over an 8 week period in summer/autumn 2012. The application site is identified as a part of a draft allocation. It is therefore, supported as such by professional officer opinion. However, this does not reduce in any way the weight that the Council attaches to any significant policy or environmental constraints that are relevant to these sites. The Council attaches great weight to ensuring that the process of site allocation is an open, transparent and participatory one which allows full opportunity for comment to the wider public and other stakeholders. The preferred options stage cannot therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy.

There is clearly a tension between the site being released for housing development now and the core principle in the NPPF that states that planning should be genuinely plan-led. However, decisions by the Secretary of State strongly suggest that this principle is being accorded less weight than the need to demonstrate a five year supply of deliverable housing sites. This is notwithstanding the fact that the Core Strategy Review is housing-delivery led and the Council is seeking to put in place a five year supply of deliverable housing sites as quickly as possible through a plan-led approach.

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

The proposal needs to be assessed in relation to the presumption in favour of sustainable development. Relevant Core Strategy policies include Policy CS2 - Sustainable Transport and Travel, Policy CS3 - Sustainable Living and Climate Change, Policy CS6 - Community Facilities, Policy CS8 - Housing Mix and Affordable Housing Provision and Policy CS10 - Environmental Protection and Enhancement. It is clearly a benefit of the proposal that it would boost significantly the supply of housing and responds positively to an opportunity for growth.

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

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

## **RECOMMENDATION**

**That planning application 12/1990/EIS be approved subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below and the following conditions and informatives.**

In the event of the legal agreement having not been signed by 4<sup>th</sup> August 2013 that the application be refused.

## **SECTION 106 AGREEMENT**

### ***Heads of Terms***

#### ***Education***

***The rate of contribution required from developers for school places would be £8,000 x 0.26 = £2,080 per family home (i.e., homes with two or more bedrooms).***

***Payment of developer contributions should be made in four equal tranches at the occupation of the 50<sup>th</sup> dwelling, the occupation of the 100<sup>th</sup> dwelling, the occupation of the 150<sup>th</sup> dwelling and the occupation of the 200<sup>th</sup> dwelling.***

***The calculation to reflect a discount of £8,000 per vacant place in Kirklevington Primary and Saint Cuthbert's RC Primary Schools as recorded within the Annual School Census current at that time of the occupation of the relevant dwelling, subject to a pro-rata allocation of this discount amongst other committed development within the local area. Local Authority to provide within one month of a request being made its confirmation of the applicable discount by reference to the Annual School Census and specific details of other developments to benefit from the discount.***

***Contribution to be held in an interest-bearing account. Payment to be used for the purposes identified within 5 years of payment being made or otherwise returned together with the interest accrued.***

#### ***Conyers School***

***A commuted sum of £500,000 by way of a contribution towards community sporting facilities at Conyers Secondary School to be payable in two equal tranches (£250,000 upon completion of 150<sup>th</sup> dwelling and £250,000 upon completion of 300<sup>th</sup> dwelling). Monies to be held in an interest bearing account to be refunded if they are not spent within 5 years of payment.***

#### ***Affordable Housing***

***The development shall not begin until details have been submitted to and approved in writing by the local planning authority of a scheme for the provision of affordable housing on site to comprise 20% of all units.***

***The submitted scheme shall include details of the following, as appropriate:-***

- i) The delineation of the area or areas of the site upon which the affordable dwellings will be constructed;***
- ii) the type, tenure and size of affordable dwellings to be provided;***
- iii) The arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;***
- iv) The phasing of the affordable housing provision in relation to the provision of open market housing on the site;***
- v) Occupancy criteria and nomination rights in relation to identified housing need.***

## **Highway Mitigation**

**Contribution (£117,000) towards highway improvements on the western side of Ingleby Barwick to be paid on occupation of the 150th dwelling.**

**Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to reduce the speed limit from 40 mph to 30 mph;**

**Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to prevent vehicles parking around the site accesses and railway station entrance;**

**The provision of an off-street car park of at least 34 car parking spaces close to Yarm High Street (or a financial contribution of £280,000 towards improvements to car parking in Yarm prior to occupation of the first dwelling) laid out and equipped in accordance with the operational requirements of SBC including the provision of 2 no. double Electric Vehicle Charging Point chargers (4 no. total charging points). This car park must be fully operational as a long-stay car park prior to the occupation of the first dwelling on the site**

**Enter into a S278 for the following works:-**

**Two new access junctions into the site from Green Lane;**

**Junction improvements at the A67 / Green Lane roundabout junction;**

**Junction improvements at the A67 / Worsall Road junction;**

**Junction improvements at the A67 / Crathorne Interchange junction;**

**Speed reduction works to reduce the speed limit on Green Lane from 40 mph to 30 mph. To include street lighting and signing;**

**New footways, dropped kerbs and tactile paving at both new junctions providing access into the site from Green Lane to connect the development to the existing pedestrian network; and improvements to the pedestrian crossing to the west of Davenport Road.**

**Provision of an off road (lay-by) bus stop and shelter on Green Lane;**

## **Travel Plan**

**Prior to commencement of development, submit a Travel Plan for approval by the Local Planning Authority including:**

- (a) a proposal for the appointment of a person or body appointed through the Development to administer and co-ordinate implementation of the Travel Plan a Travel Plan Co-Ordinator (TPC) for a minimum of 5 years;**
- (b) the provision of contact details of the TPC to the Council;**
- (c) modal split targets and measures to achieve these targets which must be SMART (Specific, Measurable, Achievable, Realistic and Timebound);**
- (d) details of an exit strategy of how the Travel Plan will be continued once the TPC has left the site (eg a community travel plan forum/group established);**
- (e) details of the welcome/marketing pack to be given to buyers/occupiers of the Dwellings, including any electronic media;**
- (f) an incentive payment of £100 per Dwelling on the Site (up to a maximum of £37,000.00) and measures to allocate the balance of the £37,000.00 in the event that all Dwellings not take up the incentive payment.**

## **Employment and Training**

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

### **CONDITIONS:**

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

<b>Plan Reference Number</b>	<b>Date on Plan</b>
305-BEL-GL SD.00.01B	Feb 2013
305-BEL-GL SD.10.02E	Feb 2013
305-BEL-GL SD.10.10B	June 2012
JN0621-Dwg 0005D	July 2012
JN0621-Dwg 0020C	June 2012
JN0621-Dwg 0021C	June 2012

**Reason: To define the consent.**

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

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

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

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

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

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

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

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

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

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

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

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

***08. Within each phase, all means of enclosure, public art and street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development commences. Such means of enclosure, retention and street furniture as agreed shall be erected before the development hereby approved is occupied.***

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

***09. The total amount of residential units as authorised by this permission shall not following the issue of the permission hereby granted exceed 370 dwellings (C3 Use Class).***

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

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

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

***11. Within each phase, no development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at***

**least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.**

**Reason: In the interests of promoting sustainable development.**

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

- A) The delineation and siting of the proposed public open space**
- B) The type and nature of the facilities to be provided within the public open space including the provision of play equipment for all age groups including young children and teenagers which shall be supplied and installed to a specification as agreed by the local planning authority.**
- C) The arrangements the developer shall make to ensure that the Public Open Space is laid out and completed during the course of the development**
- D) The arrangements the developer shall make for the future maintenance of the Public Open Space**
- E) The open space shall be completed in accordance with the approved scheme and phasing arrangements as agreed by the local planning authority.**

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

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

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

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



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

***15. Within each phase no development shall take place until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of the development, Landscape maintenance shall be detailed for the initial 5-year establishment period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved.***

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

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

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

***17. Prior to the commencement of each phase of development, details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.***

***Reason: To ensure that earth-moving operations, retention features and the final landforms resulting are structurally sound, compliment and not detract from the visual amenity or integrity of existing natural features and habitats.***

***18 No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.***

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

***19. 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.**

**20. Any part of the development which is to be used for residential purposes shall achieve a minimum of Code Level 4 or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters and shall be agreed in writing with the Local Planning Authority before development commences and implemented in accordance with the approved details.**

**Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3**

**21. All ecological mitigation measures within the Environmental Statement Ecology, E3 Ecology Ltd, August 2012 (relevant to the redline area shown on plan ref: 305-BEL-GL SD.00.01B, Feb 2013) shall be implemented in full in accordance with the advice and recommendations contained within the document.**

**Reason: To conserve protected species and their habitat**

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

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

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

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

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

**23. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by JBA - final report August 2012 and the following mitigation measures (relevant to the redline area shown on plan ref: 305-BEL-GL SD.00.01B, Feb 2013) detailed within the FRA:**

**Limiting the surface water run-off generated by the site to a maximum of 56 l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.**

**The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.**

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

**24. No development permitted by this planning permission 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:**

- Details of the drainage during the construction phase;**
- Details of the final drainage scheme, including sustainable drainage measures proposed;**
- Provision for exceedance pathways and overland flow routes;**
- A timetable of construction;**
- A construction quality control procedure;**
- A plan for the future maintenance and management of the system and overland flow routes.**

**Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.**

**25. Notwithstanding details hereby approved, there shall be no part of the dwellings constructed within Flood Zone 3 as defined in the FRA dated 15 August 2012.**

**Reason: To prevent inappropriate development in flood zone 3 in accordance with the approved FRA and to comply with the requirements of the National Planning Policy Framework.**

**26. 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**

**27. A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to**

**protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.**

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

**28. 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**

**29. Before any property is occupied, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.**

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

**30. Before any property is occupied, any living rooms or bedrooms with windows affected by railway noise levels in excess of 65 dB(A) (LAeq) (measured at a point 1 metre from the facade of any dwelling) between 07.00 and 22.00 hours or 60 dB(A) (LAeq) between 22.00 and 07.00 hours, the developer shall insulate the dwellings in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from rail traffic noise.**

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

**31. Development shall not commence until a detailed scheme for the disposal of foul water from 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 : The sewerage system and Sewage Pumping Stations to which the development will discharge has reached its design capacity and cannot accept the anticipated flows.**

**32. Prior to construction of any development on the site, details of improvements to the A19/A67 Crathorne Interchange (as seen on ref: SAJ Transport Consultants Ltd drawing JN0621-Dwg-0027B) shall be submitted to and approved in writing by the local planning authority, following consultation with the Highways Agency.**

**Reason : In the interests of safety and the free flow of traffic on the A19 and its junctions.**

**33. Prior to occupation of any dwellings on the site, the required improvements to the A19/A67 Crathorne Interchange (as set out in the preceding condition) shall be completed to the satisfaction of the local planning authority, in consultation with the Highways Agency.**

**Reason: In the interests of safety and the free flow of traffic on the A19 and its junctions.**

**34. Stage 4 (monitoring) Road Safety Audits shall be carried out using 12 months and 36 months of accident data from the time the improvements works (as set out in the preceding conditions) become operational. The audits shall be carried out in accordance with DMRB HD19/03 and shall be submitted to and approved in writing by the local planning authority following consultation with the Highways Agency.**

**Reason: In the interests of safety and the free flow of traffic on the A19 and its junctions.**

**35. Development shall not commence until a detailed scheme for the extension of Yarm Station Car Park including the provision of disabled parking bays and cycle parking and the replacement and upgrade of the Electric Vehicle Charging Point (4 no. total charging points) plus an additional rapid charger has been submitted to and approved in writing by the Local planning Authority. Thereafter the development shall take place in accordance with the approved details.**

**Reason: In the interests of promoting sustainable development.**

**36. Car parking for each phase shall be in accordance with Supplementary Planning Document 3: Parking Provision for New Developments.**

**Reason : To ensure a satisfactory form of development and in the interests of safety.**

## **INFORMATIVES**

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

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 and the environment in general including the cumulative impacts of the scheme.

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

Core Strategy Policies CS1, CS2, CS3, CS6, CS7, CS8, CS10 and CS11 and Saved Local Plan Policies EN4 and EN13.

#### Car Parking Areas Draining to Ground

The development proposal involves the expansion of Yarm Railway Station from 48 to 88 car parking spaces. Drainage to soakaway from car parking areas for >50 spaces should be passed through an oil interceptor before discharging to ground. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to groundwater.

#### Sustainable Drainage Systems

Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.

Further information on SUDS can be found in:

The CIRIA C697 document SUDS manual

HR Wallingford SR 666 Use of SUDS in high density developments

CIRIA C635 Designing for exceedance in urban drainage - good practice

The Interim Code of Practice for Sustainable Drainage Systems.

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on our website at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's website at [www.ciria.org.uk](http://www.ciria.org.uk)

#### Open burning

No waste products derived as a result of carrying out the business hereby approved shall be burned on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority.

The applicant will be required to enter into a Section 278 agreement with the Highways Agency under Section 278 of the Highways Act 1980. The proposed improvements would require Stage 2, 3 and 4 Road Safety Audits, carried out in accordance with DMRB HD19/03, which should be completed to the satisfaction of the Highways Agency.

#### Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.

Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.

Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements

such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

The provision of two balancing ponds is noted to the east of the railway. Provision should be made to ensure the ponds do not interfere with the railway drainage and as such we would request that the following monitoring condition be put in place should the drainage modelling turn out in reality to be incorrect:

#### Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

#### Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

#### Fencing

Because of the nature of the proposed developments Network Rail consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

#### Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

#### OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

#### Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

### Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

### Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

### Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

### Network Rail

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:



Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata  
"Zebrina"

Not Acceptable:

Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

A comprehensive list of permitted tree species is available upon request from Network Rail.

### Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

### Children's Play Areas/Open Spaces/Amenities

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

### Street Trees

The Street Trees shall be planted at a maximum of 10m centres and shall be of a stock size of 20 - 25cm girth, root balled stock type. Trees in grass verges shall be triple staked with wire tree guards. Trees in hard surfaces would require tree grills and guards. Such details would be agreed as part of the Hard Landscape proposals submitted as part of any reserved matters application. Details of the area required for the planting of avenue trees shall be agreed as part of any reserved matters application. The construction details and planting establishment and maintenance specifications for the trees and surfaced pits would be agreed as part of the S38 Agreement for adoption.

## **SITE AND SURROUNDINGS**

1. The application site is located at the south western edge of the built up area of Yarm and consists of agricultural fields and includes Yarm Railway Station and associated car parking. The site extends to approximately 21 hectares and is bounded by Green Lane to the north; Far End Farm to the west; a railway line to the east and woodland around Saltergill Beck to the south.

2. The site comprises farmland, divided by hedges into five large fields and is generally flat although the land does fall away sharply to the southern edge of the site as the farmland gives way to the edge of the woodland around Saltergill Beck (See Appendix 1 – Site location Plan).

## **PROPOSAL**

3. This is an outline application, with all matters reserved save for means of vehicular access. The proposal consists of up to 370 dwellings; expansion of Yarm Railway Station car parking from 43 to 88 and new public open space, park land and allotments (an illustrative masterplan is attached at Appendix 2).

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

5. The design takes account of physical characteristics such as the presence of an overhead power line which affects the western boundary and the mature landscape groupings of wood land and the watercourse to the south.

6. Vehicular access to the site is proposed from 2 access points onto Green Lane to the northern boundary. Pedestrian and cycle links are incorporated into the overall layout and are aligned with the existing public right of way to the western boundary and will form a 'parkland trail' for the development.

7. The proposed housing mix comprises family housing ranging from 2 – 4 bedrooms and Executive Style dwellings (5+ bedrooms). Provision will be made for 20% affordable housing. The predominant scale of the scheme is 2 storeys in height with elements of 2.5 storey housing at key focal points. The proposal also offers a varied range of density across the whole development and will create a variety of character areas and add visual interest. The main materials will be brick (6 brick types with a mixture of buff and red brick, stone and render and predominantly slate effect coverings).

8. Allotments are proposed to the western section of the site. The southern fringe of the site features a wooded beck valley and it is proposed to preserve an area of open space grassland as an area of biodiversity between the housing and woodland. This area will also provide for the development of ponds as part of a sustainable drainage system for the housing development and form a wildlife habitat and landscape feature.

9. The proposal also includes land to be allocated for an extension to the Yarm Station car park to encourage more use of rail services from Yarm Station.

## **THE ENVIRONMENTAL IMPACT ASSESSMENT**

10. 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;

- Landscape and Visual Impact
- Ecology
- Transport
- Ground Investigation
- Archaeology
- Flood Risk Assessment
- Noise & Vibration
- Air Quality
- Socio-Economic

11. The findings of the ES are summarised as follows with an updated section reflecting the revisions to the proposal.

12. The site is predominantly in agricultural use, together with a car park to serve Yarm Railway station. Through the proposed development all the agricultural land will be lost. Yarm Station's car park will, however, be expanded to 88 spaces. Additionally, where existing land uses are lost they will be replaced with housing, contributing to meeting the Borough's defined housing need to 2030 in line with the Preferred Options allocation (Policy H1J). However, in considering the overall quality of the agricultural land on site, together with the overall quantity of such land in Stockton-on-Tees Borough Council's administrative area, the loss is considered negligible.

13. The southern part of the site will be landscaped to provide a recreation and open space corridor linking to areas within the development also. Accordingly, linked with meeting the defined housing requirement, on balance the land use effect is considered minor beneficial.

### Socio-Economics

14. In considering the socio-economic effects of the proposed development the following points are of note: The proposal represents a £72.8m investment in the area. This will generate around 60 permanent construction jobs and a further 70 indirect supply chain jobs. Once complete the population is estimated as contributing £1.6m each year into the local economy which itself could support 15 new jobs. The scheme will contribute £7.8m in New Homes Bonus to the Council. A further £1.3m per annum of Council tax receipts will be secured. Additionally, as already noted, the proposal will make an important positive contribution to meeting the Council's defined housing requirement to 2030. This will incorporate a range and choice of house types, including up to 20% affordable housing. Further, the applicant will also enter into a legal agreement to ensure appropriate education contributions are provided - potentially to a value of £3.4m.

### Transport and Access

15. A Transport Assessment has been prepared to assess the implications of the proposed development on the surrounding road network. These results form the basis of the assessment of the potential environmental effects associated with the development traffic.

16. The effects of the development related transport have then been assessed for various environmental effects:

Delay  
Road Safety and Accidents  
Severance  
Pedestrian Delay  
Pedestrian Amenity  
Fear and Intimidation

17. The proposed development will add traffic to the surrounding road network. Generally, the surrounding road network will experience an increase in traffic of less than 30% but more than 10% associated with the proposed development i.e. a moderate effect.

18. The exceptions are the following links which experience an increase of less than 10% creating a minor effect:  
Green Lane east of the A67 roundabout.  
Green Lane west of Allerton Bank.  
A67 north of the Green Lane roundabout

19. The transport aspects of the development proposals include a series of off-site junction improvements and the provision of pedestrian and cycle crossing facilities. It is anticipated that the proposed improvements will reduce the perceived environmental effects associated with delay, severance, pedestrian delay, pedestrian amenity and fear and intimidation whilst ensuring that road safety is not compromised.

20. The effects of the development related road traffic along with the proposed mitigation have been taken into account and the assessment concludes that the environmental effects will be as follows:  
Delay - neutral/negligible effect  
Road Safety and Accidents - neutral/negligible effect Severance - neutral/negligible effect  
Pedestrian Delay - neutral/negligible effect  
Pedestrian Amenity - neutral/negligible effect Fear and Intimidation - moderate adverse effect

21. In the longer term it is considered that the successful implementation of the Residential Travel Plan will reduce the vehicle trips and will further minimise the effects associated with the proposed development.

### Landscape and Visual Impact

22. Within a 2 km radius of the Site, the proposed development has the potential to have a range of landscape and visual effects. The majority of these effects, however, can 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, based on the mitigation measures being carried out as proposed, there are areas where these measures would have a beneficial effect upon the landscape.

23. The land within the study boundary is a mix of urban fringe development and agricultural land divided up by road and rail infrastructure and interspersed with woodland belts. Whilst the farmland within the proposed site boundary is well managed and in agricultural use, there are no special features and public access is limited. Despite the proximity of nearby residential areas alongside Green Lane, the effect of development upon the majority of views would be negligible due to

substantial intervening tree cover and hedgerows. Views would be limited to glimpsed views where there are breaks in the hedges and trees or from the upper windows and the rear elevations of some houses.

24. The greatest effect is upon the publicly accessible areas along the western edge of the site, where there are the most sensitive receptors and potentially open views. The change experienced here would be greatest, with users experiencing a change from open countryside views to limited views contained by new development. However, existing views are already compromised by the line of pylons and agricultural intervention in this landscape. The proposed layout for the development includes a landscape buffer strip here containing allotment gardens, which offer good potential to mitigate such adverse impacts by 'greening-up' the area. This also offers the potential to improve the setting of the public footpath and views from it. Likewise, the creation of new footpath links and the development of a new country trail along the southern boundary of the site will be of benefit to both landscape and visual amenity.

25. As stated in the Stockton Borough Council Core Strategy DPD Review, the site is "located within an area identified as having high landscape capacity for development". Whilst there would be a distinct change from open, agricultural land to residential development, this would take place in an area where both landscape and visual amenity are restricted. Further, the Council has also confirmed in the Consultation Statement into the Preferred Options for the Regeneration and Environment Local Development Document (page 47) that "a development off [sic] this scale [735 dwellings] will not prevent the functioning of the established strategic gap between Yarm and Kirklevington".

26. 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

27. Geologically, the site is shown to be underlain by drift deposits comprising glacial clay. The solid geology underlying the site comprises Sherwood Sandstone Group, with the strata dipping towards the east. The site is not in an area affected by shallow coal mining.

28. 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. Subject to appropriate construction methods this is not considered to present a constraint on development.

29. The majority of the site is not identified as being at risk from flooding, the only exception being the south western corner - albeit this is not identified for any built development.

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

31. There is a steep slope on the site associated with railway cutting through the centre of the site; slope stability should therefore be considered during an intrusive ground investigation. The slope will also affect the type of foundations that can be

utilised albeit it is noted that the design of the master plan sets proposed residential dwellings away from the cutting.

32. Near-surface deposits may have been affected by slight contamination in the form of particulates emitted from chimneys, or include localised ash deposits from domestic fires, or from the construction of the railway line.

33. Potential contaminants could include:

Heavy metals including lead, copper and nickel (associated with railway land)

Asbestos

PCB's

Chlorinated aliphatic hydrocarbons

Gas Sources

34. No significant potential sources of hazardous gas have been identified during this investigation. However, potential gas sources may be revealed during intrusive ground investigation works which are recommended to verify the above findings before construction commences. Again, through mitigation and appropriate construction techniques the above risks can be satisfactorily mitigated.

### Noise and Vibration

35. Baseline surveys for noise and vibration levels across the site, including areas adjacent to the road network and railway corridor, were undertaken. The impacts of potential effects on existing conditions have been assessed for future construction and operational phases of the development.

36. Construction generated noise and vibration will be controlled through agreement with Stockton Borough Council on the hours of work, the maximum permitted noise level and implementation of best available techniques. The likely effects of noise and vibration on the closest receptors will therefore be minimised and will have a short term minor adverse effect.

37. The maximum increase in development generated traffic flows has been predicted at 25% on the A67 and 20% on sections of the B1264. For the change in noise levels to be perceivable a doubling or halving in the traffic volume needs to be achieved. Therefore the magnitude of the effect is low and the potential significance on the noise climate is negligible based on the predicted levels.

38. Following mitigation measures in the form of acoustic fencing, along areas not currently afforded adequate protection from road and rail noise sources, the external noise climate can be effectively reduced to meet World Health Organisation and Government guidance.

39. The provision of suitable glazing will mean internal noise environments also meet World Health Organisation and British Standards. Potential impacts on internal and external noise are therefore of negligible significance.

### Air Quality

40. This element of the ES has considered the following potential effects:

Local air quality effects during the construction phase due to HGV vehicle emissions;

Dust nuisance and particulate effects due to construction activities; and

Local air quality effects, due to changes in traffic flow during the after completion phase once occupied.

41. For the construction phase a qualitative assessment was performed and a worst case scenario has been adopted when assigning a risk category to each activity. The assessment concludes the following:

All residential properties in the vicinity of the site can remain in occupation during construction works - which are a transitory phase

Measures to control dust generated during construction will be required

Vehicular movements will require careful routing to minimise adverse effects of nearby residential properties, together with strict adherence to times of working and cleaning of vehicles leaving the site. The above will also be controlled through a Construction Management Plan to minimise the adverse effects of implementation.

42. Once complete traffic was modelled to 2017 and 2022 using various scenarios. With regard to potential air quality effects during the operational phase, the assessment concludes the following: the annual mean background pollutant concentrations at the proposal site are well below the annual mean objectives for both NO<sub>2</sub> and PM<sub>10</sub> (nitrogen dioxide and particulate matter) in all scenarios, once development is completed, levels of pollutants remain below the objective levels with localised increases occurring at a negligible or minor level.

### Arboriculture

43. Existing trees were assessed with regard their condition, retention values, and protection requirements, with the information being used to guide the design phase.

44. The reports, prepared in accordance with British Standard 5837:2012 '*Trees in relation to design, demolition and construction - Recommendations*', highlighted that the trees on site, and within the adjacent properties, are generally valuable and worthy of retention with many trees and tree group features meriting the highest classifications for retention. Utilising this information the design for the proposed development has been prepared to ensure existing trees can be retained and protected throughout all phases of construction by methodology recommended within the British Standard.

45. No significant trees or features require removal for the design to be implemented and all retained trees can be adequately protected. The design requires the removal of some sections of hedge within the site, but these sections can be more than compensated for within the proposed landscaping and tree planting designs, particularly to the south.

46. The development of the site can be undertaken without significant loss or damage being caused to any of the tree cover on site, and the tree planting scheme will not only compensate for any necessary loss of vegetation but will enhance tree cover in the long-term across the site.

### Ecology

47. The site predominantly comprises arable farmland, amenity and improved grassland, coniferous and broadleaf woodland and hawthorn dominated hedges. Small sections of the railway cutting slopes support diverse neutral grassland. Overall, the development site is considered to be of local nature conservation value.

48. The site is not subject to any statutory or local nature designations. However the woodland to the south is a Site of Nature Conservation Importance, but will not be

subject to any direct impacts. Further, we understand this designation may not be carried forward through the Preferred Options.

49. The area supports an assemblage of birds consistent with an urban fringe site, a population that is considered to be of no greater than local ornithological value. Survey has shown that moderate levels of common pipistrelle bat use the site, with bats mostly entering from roosts located within the existing residential housing to the north. Foraging was greatest along the fringe of the woodland to the south of the development area. Limited evidence of badger activity was recorded along the southern fringe, although no sett building activity was recorded. The reptile survey did not record any reptile activity, and habitats on site are considered to be largely suboptimal.

50. Three ponds are present to the west of the site within land under private ownership. No access to survey these ponds was possible, and habitat suitability Index assessment indicated that the ponds are of no greater than 'average' value to amphibians. Habitats within the site are considered to be sub-optimal, with barriers to movement between the development boundary and the ponds. The presence of great crested newts within the site is considered to be unlikely.

51. No other impacts on protected species are anticipated.

52. The proposed development will result in the loss of low quality arable land, and some areas of species poor and amenity grassland. Hedgerows will largely be retained, although some sections will need to be removed and replacement provision incorporated. The woodland to the south and mature trees will be buffered and safeguarded against development. The railway corridor and areas of neutral grassland within this area will be buffered from the development.

53. Mitigation measures have been recommended that will address all of the predicted short-term issues. This will include working method statements for birds, badger and herpetofauna.

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

### Archaeology and Cultural Heritage

55. In considering the archaeological effects of the development a desk based assessment has been undertaken. Additionally, when ground conditions allow (the site currently being in crop) a geophysical survey will be undertaken together with trial trenching as may be necessary.

56. The desk-based assessment 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.

57. The desk based assessment has not identified any known significant archaeological features within the site, although it did identify the possibility for previously unknown prehistoric and Romano-British features within the site due to known activity from this date in the surrounding area. The site was also possibly the



location for a Civil War battle and is close to two listed buildings (Kirklevington Grange, immediately east of the site and Kirklevington Hall, immediately south of the site).

58. Historic plans of the site from 1857, to the current day, indicate that it has not been developed during this time. Indeed, the railway through the centre was constructed prior to 1857.

59. Due to the previously undisturbed nature of the site (save for agricultural working), it is probable that any archaeological features, if present, will survive. The scheme of mitigation in the form of geophysical survey followed by trial trenching and area excavation as required will ensure that the development can move forward without causing any adverse residual effects through the preservation of any archaeological assets encountered by permanent record.

### Water Management

60. JBA Consulting has prepared a Hydrology and Drainage Chapter within the ES which has assessed the effects of the development and the associated level of significance for each impact.

61. The development is not considered likely to affect 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 flood risk at the site and elsewhere through maintaining current discharge levels from the site.

62. Discharges to the foul drainage system will, however, increase as a result of the development. A pre-development enquiry has been submitted to Northumbrian Water Limited and initial response has been received. Discussions with Northumbrian Water Limited are ongoing at this time and it is likely that the network may have to be upgraded to accommodate the required discharge. This will be secured through a planning condition as appropriate.

63. The effects of the development on hydrology and drainage are therefore considered to be acceptable.

### Cumulative Effects

64. Bringing the above together the cumulative effects chapter of the ES presents the summary findings of the assessment.

65. Whilst it is accepted that during construction there will be a number of adverse environmental effects these represent a temporary effect. Once the development is concluded the ES has found that, in all regards, the environment effects will, on balance, be no worse than currently and in a number of instances positively enhanced - notably employment, expenditure, landscape, wildlife and tree cover.

### **Updated Environmental Statement to reflect changes to the proposal**

66. For the majority of the chapters the reduction in scale of the proposal, combined with the other minor amendments, do not give rise to any additional or revised

environmental effects which were not considered for the larger August 2012 scheme. The chapters are listed below do not require further consideration:

- 1 Chapter G - Ground Conditions
- 2 Chapter H - Noise and Vibration
- 3 Chapter I - Air Quality
- 4 Chapter J - Arboriculture
- 5 Chapter K - Ecology
- 6 Chapter M - Water Management
- 7 Chapter N – Cumulative Effects

#### Updated Land Use Assessment

67. The updated analysis shows that the proposals are still in accordance with up to date policies in the emerging Local Development Framework and national policies as set out by the NPPF. The proposal still has net social, economic and environmental benefits which, in light of guidance in the NPPF, confirm that the development proposals are sustainable. In this context, the introduction of residential uses to the site is still considered to have a beneficial effect. However, given the reduced scale of development the moderate beneficial effect reduces to minor beneficial.

#### Updated Socio-Economic

68. The updated assessment has found that the reduced scheme does not alter the conclusions and the proposed development still has a moderate beneficial effect on the socio-economic characteristics of the local area.

69. The revised proposal represents a £36.6m investment in the area. This will generate around 30 permanent construction jobs and a further 36 indirect supply chain jobs. Once complete the population is estimated as contributing £800k each year into the local economy which itself could support 7 new jobs. The scheme will contribute £3.9m in New Homes Bonus to the Council. A further £670k per annum of Council tax receipts will be secured. Additionally, the proposal will make an important positive contribution to meeting the Council's defined housing requirement to 2030. This will incorporate a range and choice of house types, including up to 20% affordable housing. Further, the applicant will also enter into a legal agreement to ensure appropriate education contributions are provided - potentially to a value of £700k. The applicant is also willing to make a 500k contribution to community sporting facilities at Conyers School.

#### Updated Archaeology/ Cultural Heritage Assessment

70. Following additional archaeological work, in the form of geophysical surveys and trial trenching completed in December 2102, the Archaeology/Cultural Heritage environmental effects have been reconsidered.

71. The assessment has concluded that the proposed development will have no effect on any designated heritage assets or any undesignated heritage assets of national archaeological importance. There is no evidence of previously unidentified heritage assets of national importance within the proposed development area.

72. Construction works will result in the loss of a small Iron Age/Roman settlement site which is likely to represent a heritage asset of local or regional importance. The significance of the effects of this loss in the absence of mitigation is considered moderate adverse. The adverse effects can be substantially mitigated through the agreed programme of archaeological investigation, reporting and publication. The residual effects of the loss of the archaeological resource will therefore be negligible.

#### Updated Transportation Assessment

73. The effects of the revised development related road traffic along with the proposed mitigation have been taken into account and the assessment concludes for the revised scheme that the environmental effects will be as follows:

- i Delay – neutral/negligible impact
- ii Road Safety and Accidents – neutral/negligible impact
- iii Severance – neutral/negligible impact
- iv Pedestrian Delay – neutral/negligible impact
- v Pedestrian Amenity – neutral/negligible impact
- vi Fear and Intimidation – neutral/negligible impact

With the exception of Fear and Intimidation which has reduced from minor adverse to neutral/negligible all other effects remain the same.

#### Updated Landscape and Visual Assessment

74. The updated assessment has found that without mitigation the development would have a moderate adverse effect upon landscape and visual amenity. However, with careful planning, sensitive handling of detailed levels and siting of proposed new building and landscape elements this impact would be reduced to minor adverse.

75. For the original larger scheme the residual effect was previously considered to be moderate/ minor adverse.

### **CONSULTATIONS**

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

#### 77. Councillor Ben Houchen

I object to the planning proposal 12/1990/EIS development of Yarm School playing fields on the following grounds.

The development is outside the limits of development as indicated in the Councils Core Strategy Document 2010 and Strategic Policy. The development is within the Strategic Gap as again defined in CS 2010. The development is within a Wildlife Corridor (Green Infrastructure Corridor) which is of particular importance to the residents of Kirklevington. The Kirklevington Community Plan clearly indicates the value of this corridor to the well-being of the residents of Kirklevington. Policy ENV1 refers to the green infrastructure, damage to the infrastructure, should be replaced or enhanced.

The land currently being considered also forms part of the current consultation taking place, which forms part of the Preferred Option Sites. As such, it would be premature

for Stockton to give planning permission for such a development prior to full and proper consultation with the residents of the Borough on their Preferred option Sites. Strategic policy SP2 core area sites are the most sustainable within the Preferred options consultation document Page 129 8.107 This site outside the limits to development will not necessarily be approved in the final document. Assessment of the site is questionable with regards to sustainability within the Preferred Options Consultation Document which developers saw as a green light.

Indeed, Preferred options Para 9.4 page 144 Indicates at the neighborhood scale local communities should also be given opportunities to play an active role in the development and management of green infrastructure. The farmers and residents of Kirklevington and Castlelevington Parish carry out the above process now. Field Copses and public rights of way are maintained, field hedges are not grubbed out, litter is removed from lay-bys, wild flowers are protected, daffodils are planted, large mammals are left in peace. It is important that the views of the residents of Kirklevington and Castlelevington Parish be listened to and due weight should be given to their views on development within their boundaries.

The traffic generated by this development and the proposed developments around Yarm will have a cumulative effect on congestion. Not only around the proposed development but also Yarm High Street. The NPPF Para 32 indicates that developments can be refused on transport grounds where the residual cumulative impacts are severe. It can be indicated that every increase in 100 houses within the immediate Kirklevington/Yarm/Eaglescliffe area requires an increase of approx 4 car parking spaces in Yarm. With a potential build of approx 2600 houses in the Yarm area, this will mean approximately 100 extra car parking spaces in Yarm High St. The Council recognises the High Street is congested and even with the provision of 40 car spaces at the South West Yarm Site it will not be improved.

Within the preferred options document Para 8.107 page 129 the Council states: - 1) This site, adjacent to the conurbation, outside the limits to development could be used to supplement the more sustainable options. The council are basically saying that the sight is not very sustainable and should be looked at as a last possible option. Sequential testing must be carried out on this option.

A representation on behalf of the land owner promotes the site for 750 homes whilst offering relocation of Yarm school playing fields to land directly opposite the school. (The land opposite the school being agricultural land, a green wedge and part of the strategic wild life corridor within the Tees Valley Structure Plan.) The land in Eaglescliffe does not form part of the consultation for the Preferred Options as it was to be part of the Tees Heritage Park. It is expected that any development proposal which proposes the loss of Yarm playing pitches would include a scheme and means to secure their replacement. As this is a private school, replacement of a pitch should not apply and clearly it is not a sustainable option for Stockton Council to consider land to build on if it has such a caveat.

In partnership with neighboring authorities regarding bio diversity all green wedges and limits to development were to be retained hence wild life corridors would not need to be considered. The plan to build 750 houses within Kirklevington will not improve the quality of life for the residents of the village or parish. The consequence will be a loss of green country side, productive farmland and an increase in traffic and the loss of a safe environment for residents especially children attending Conyers School and residents exiting the village from Forest Lane.

Indeed, it is part of Stockton's own policy to seek to maintain the separation between settlements as well as to seek to protect the amenity value of green wedges and strategic gaps .750 houses will cause noise and light pollution and will be detrimental to the landscape and the population within Kirklevington. Development has only been allowed within the Parish subject to rural planning policies. Allowing the land which is within a strategic gap with Green Lane the limit to development which protects the Strategic wild life corridor could set a precedent. It must also be noted that a

cornerstone of the NPPF is the presumption in favour of sustainable development. This is in order to ensure a balanced approach between the three dimensions to sustainable development economic, social and environmental. Indeed, the proposed development is detrimental on all three dimensions. This proposed development will not strengthen Stockton's economy. It will be a regional commuter suburb. The station does not allow direct access to Stockton. Hourly buses to Kirklevington ceased due to an inability to maintain a timetable at peak hours due to congestion in Yarm and also due to limited use.

Within the options document, it clearly states development on the land will not benefit Stockton. It will also reduce bio diversity by reducing the wild life corridor hence impacting on other wild life networks hence impacting indirectly on Stockton's 2020 Aichi bio diversity targets Policy. This development will adversely affect both directly and indirectly a local site.

Access to a rural field will not improve health and wellbeing, access to hospital services is problematic using public transport and finding parking places in Yarm can impact directly and indirectly on health. The village has a good working relationship with Kirklevington Grange prison and prisoners.

750 houses will not contribute to better health and well-being for the neighbours, the prisoners or the village. NPPF states that the planning system should contribute to and enhance the natural and local environment. The only strategic, natural, regional, ancient, wild life corridor south of the river Tees ENV8 within the Tees Valley Structure Plan will be halved. The impact of noise, light, dogs, cats, people, cars, contouring the site and building 5 ponds to accommodate 12,500 cubic metres of Sustainable urban drainage on an unpolluted aquifer plus the loss of productive farm land and foraging ground cannot be mitigated against by replacing mature parkland trees with ponds which with climate change will discharge run off water and raise the level of the beck downstream thus destroying more delicate eco systems in North Yorkshire

The site is not sustainable in terms of public transport as buses are held up in traffic and the trains arrive too late into Middlesbrough for anything other than flexible work patterns. The only east /west road is narrow without footpaths not conducive to cycling and dangerous in winter. Disturbance to a wild life corridor resulted in a car accident with a deer. Buses will miss links to the future metro system as they are caught up in traffic. This application only relates to 735 houses, it does not take into account the cumulative effect of the total development in Yarm which has a potential of 2600 houses. Accordingly the NPPF states that where the cumulative effect has not been taken into account the Highways agency should be informed.

## 78. Head of Technical Services

### General Summary

The Head of Technical Services has reviewed the information submitted by the applicant for the revised application and has no objection to the development, subject to a number of conditions if planning permission is granted as outlined in the comments below.

### Highways Comments

### Context / Background

The site is identified in the Stockton Borough Council's (SBC) Local Development document as a potential housing site; however the Local Development document also notes that there are significant issues on the local road network that would need to be mitigated should development go ahead.

An application was initially submitted, in August 2012, for 735 dwellings on this site. Technical Services subsequently commissioned highway modelling to assess the traffic impacts of this development and others locally on the wider network.

The modelling exercise started with a review of existing traffic patterns using information from the existing Tees Valley TRIPS Model. An AIMSUN micro-simulation transport model was then developed and the base model validated using existing traffic counts and journey time data. The latest journey time data was collected for Yarm High Street on 9th November 2012.

Committed development traffic was added to the base model to allow the assessment to review what the traffic conditions would be like once traffic associated with committed developments is added to the network. The committed developments included within the model were the residential developments at Tall Trees, Morley Carr, Allen's West and The Rings (Ingleby Barwick).

The first committed development test in the model used the distributions as predicted by the Tees Valley TRIPS Model for each of the developments. However, the Tees Valley TRIPS Model also suggested that adding additional traffic to Yarm High Street would cause existing background traffic to divert onto other routes. This re-routing of traffic is due to congestion through the High Street. Therefore, to mirror this effect, some traffic was re-assigned onto other routes. The traffic that was reassigned was the traffic that was not travelling to Yarm High Street but travelling to destinations north or south of the High Street.

Once the base model was validated and agreed, the development traffic from 735 properties was added to the network. However, in line with the assumption made in the base scenario, the development was assessed using both the traffic distributions predicted by the Tees Valley TRIPS model and an adjusted distribution (traffic diverting onto alternative routes) to take account of the congestion on Yarm High Street.

The results, with the addition of 735 dwellings, showed that in the morning peak, journey times through Yarm High Street (on the A67) would increase by 04:07 minutes southbound and 02:12 minutes northbound with the development traffic added. With mitigation improvements at the Green Lane roundabout the journey time increase in the morning peak was reduced to 02:40 minutes southbound and 00:59 minutes northbound.

The model also showed extensive queuing on the following routes:

- Leven Road (beyond Woodlands Drive) as traffic from the south eastern residential area of Yarm attempts to access the congested A67 and Yarm High Street; and
- The A1044 Green Lane to the east of the A167 / Green Lane roundabout. This queue extended back as far as, and onto, Kirk Road. This queue is caused by the heavy traffic conditions on the A67 / Green Lane roundabout.

The issues listed above were constraining the ability of traffic to get onto the A67 and therefore limiting the increases to the northbound journey times.

The model also identified queuing at the traffic signals on Green Lane at the Railway Bridge, and on the Green Lane approach to the A67 / Green Lane roundabout. Queues on Green Lane also caused additional problems on the side road accesses, with queues developing within Conyers School and on Kirk Road.

The results of the initial modelling, therefore, showed that a development with 735 dwellings would have a significant adverse impact on journey times and queues in the Yarm area. It was advised that further work was required to identify if there are any acceptable mitigation solutions to ease congestion on the local network and balance this with the quantum of development that could be accommodated in south west Yarm without causing any significant detriment to the network.

The applicant, therefore, commissioned additional traffic modelling to review the development proposals. As a result of the modelling exercise, a revised Transport Assessment (TA) and associated supplementary information has been submitted for 370 dwellings on the site. This report provides feedback on the revised application.

### Review of Masterplan

The revised application is for outline development of up to 370 dwellings and expansion of Yarm Railway Station Car Park. All matters are reserved other than the principle of development and access. This section reviews the masterplan proposals.

#### Access Junctions

The development would be accessed via two priority junctions formed with Green Lane. The proposed access locations into the site from Green Lane are acceptable in principle. The junctions are located on a relatively flat and straight section of route which affords good visibility. The applicant would be required to enter into a Section 278 Agreement for the proposed access works onto the adopted highway.

#### Internal Layout

The layout of the site is a reserved matter but it should be designed and constructed to the Council's Design Guide and in accordance with Manual for Streets guidance. Parking should be provided for each property in accordance with *Supplementary Planning Document 3: Parking Provision for New Developments (2011)*.

The routes within the site should be a minimum of 4.8m wide (this could be reduced on the minor access routes) and a 2m wide footway should be provided on both sides of the carriageway. Shared surfaces are acceptable on minor routes.

Landscaping within visibility splays should be maintained to ensure unobstructed visibility above a height of 0.6m.

Suitable crossing points should be provided on pedestrian desire lines and dropped kerbs and tactile paving should be provided to all pedestrian crossing points.

The developer would be required to enter into a Section 38 Agreement for the additions to the highway which would be adopted by SBC. Early consultation with SBC is recommended to ensure that the development proposals satisfy the design requirements and are suitable for adoption.

Details of refuse collection and storage would be required along with autotracking of appropriate vehicles around the site. Construction times should be appropriately controlled and the submission of a Construction Management Strategy should be conditioned in order to ensure that no works would have a detrimental impact on the highway.

### Transport Impact

This section reviews the transport impact of the development using information from both the Transport Assessment submitted by the applicant and the micro-simulation transport model.

#### Trip Rates / Traffic Generation from Transport Assessment (TA)

The TA uses survey data from May 2012 to ascertain baseline traffic flows on the highway. The TA compares the baseline flows used in this assessment with other recent traffic surveys and the May 2012 flows are high in comparison. During normal network conditions the daily traffic will fluctuate but the use of a high baseline provides a robust basis for the assessment.

The TA considers the committed developments at Tall Trees and Morley Carr Farm.

Trip rates are based upon information derived from TRICS (national trip rate database) and this is an acceptable methodology. Table 1 shows the forecast vehicle trip generation of the proposed development.

Table 1: Vehicle Trip Generation

	AM			PM		
	In	Out	Total	In	Out	Total
Trip rate	0.243	0.491	0.734	0.495	0.355	0.850
Trips	90	182	272	183	131	314

The traffic distribution is based upon 2001 Census information and assigned using Google route planner. The main direction of traffic leaving the site during the morning peak hour is travelling east with 78% of traffic leaving the site travelling through the Green Lane/A67 roundabout. This pattern is reversed in the evening peak. Table 2 presents the number of additional trips forecast on each route of the main routes generated by traffic travelling to (inbound) and from (outbound) the proposed development.

Table 2: Development Traffic

Route	AM		PM	
	Inbound	Outbound	Inbound	Outbound
Green Lane east of railway line	69	140	141	101
Allerton Balk & Worsall Road	15	31	31	22
A67 north of roundabout	15	31	31	22
A67 south of roundabout	27	54	54	39
A1044 east of roundabout	27	56	56	40

#### Junction Impact Assessments

The impact of development traffic has been assessed at eight junctions within the TA. As a result of the operational assessments, the following junctions were shown by the TA to operate within capacity:-

- Junction 2 Green Lane / Allerton Balk priority junction;  
 3 Green Lane Traffic Signals over Railway Bridge;  
 6 Western Site Access / Green Lane priority junction;  
 7 Eastern Site Access / Green Lane priority junction;  
 8 Green Lane / Davenport Road priority junction.

The TA demonstrates that mitigation is required at:-

- Junction 1 A67 / Worsall Road priority junction;  
 4 Green Lane / A67 roundabout (Crossroads Roundabout);



## 5 A19 / A67 Crathorne Interchange.

### Impact Assessment - Junction 1 A67 / Worsall Road priority junction

The operation of the junction has been assessed using PICADY and the results show that with committed development and with the committed development and the proposed development, the junction would operate over capacity in the morning peak.

The TA for the 735 dwellings demonstrated that by introducing traffic signals at this junction the junction would, theoretically, operate within capacity. However, it was considered that because of the existing queue of traffic on the A67 entering Yarm, traffic signals may not fully resolve the issue.

It is acknowledged within the revised TA that the performance of this junction is affected by the traffic conditions on the High Street. The applicant is, therefore, suggesting that the proposed mitigation to be provided by the applicant of an off-street public car park would relieve traffic on the High Street and improve the performance of the existing junction. Furthermore, the revised TA highlights that the current proposal for 370 units would increase demand on Worsall Road by only 31 vehicles per hour in the peak periods and this level of increase is not considered to be significant by the applicant to warrant improvements.

However, the car park mitigation is required to accommodate the additional traffic that would be generated in Yarm by the development and would therefore require a parking space. Whilst the provision of an off-street car park may assist the flow of traffic through the High Street, it is considered that additional improvements are required at this junction to facilitate development south of the High Street whilst maintaining the flow of traffic through the junction. The 31 vehicles generated by the development would still travel through the junction to access the car park and it is therefore considered necessary to implement improvements to manage traffic flow through the junction. Furthermore, congestion at the junction is a barrier to cyclists and improvements are therefore required at the junction to incorporate provision for non-motorised users to facilitate sustainable links to / from the development to facilities to the north.

It is therefore suggested that the junction be signalised to manage traffic flow through the High Street and improve facilities for pedestrians and cyclists. Without mitigation the junction would operate over capacity and it would, therefore, not be acceptable to permit additional development traffic without mitigation. The improvements at the junction, coupled with the off-street car parking provision, should assist in managing the flow of traffic through Yarm High Street. The proposed highway works would be subject to a Section 278 agreement with the Highway Authority.

### Impact Assessment - Junction 4 - Green Lane / A67 roundabout (Crossroads Roundabout)

A junction assessment has been undertaken using ARCADY and the results show that the junction would operate over capacity in the morning peak in future years with committed development traffic and with both committed and development traffic. Mitigation is, therefore, proposed in the TA which makes more efficient use of the available highway. This includes relocating the give way lines at each arm of the roundabout to increase flare lengths and entry widths and therefore increase the number of vehicles that can be accommodated at the junction.

With mitigation, the roundabout would still operate over capacity but the improvements would mitigate the development traffic. The A67 north is the most

congested arm of the junction. Without mitigation, the 2022 'Do committed' scenario results in an RFC of 1.090 with a queue length of 34.9 PCU's in the AM peak. The 'Do committed and Do Proposed' scenario results in an RFC of 1.163 with a queue length of 62.3 PCU's. With mitigation, the RFC for the 'Do committed and Do Proposed' scenario reduces slightly to 1.068 and the queue length reduces to 28.4 PCUs. The proposed mitigation measures have been tested within the transport model (see details below) and do improve the operation of the junction.

The applicant would need to enter into a Section 278 Agreement for the proposed mitigation works at the roundabout.

#### Impact Assessment - Junction 5 - A19 / A67 Crathorne Interchange

The interchange consists of three separate priority junctions which been modelled separately.

The A67 / Long Lane junction has been assessed using PICADY and is found to operate within capacity for all scenarios.

The A67 / A19 slip road is however found to operate over capacity in future years with development (and committed development) traffic. The mitigation proposed by the applicant is to upgrade the current priority junction to a roundabout to accommodate the development traffic. This junction provides access to the strategic transport network and was subject to review by the Highways Agency. A Stage 1 Road Safety Audit for the proposed improvements was submitted and was considered to be acceptable. The TA demonstrates that the junction can accommodate baseline and development (including committed development) traffic and the Highways Agency have no objection to the junction improvements.

The applicant would be required to enter into a Section 278 Agreement for the proposed access works onto the adopted highway.

#### Impact Assessment – A67 / Forest Lane

In addition to the junctions assessed within the TA, the applicant was asked to undertake an assessment of the A67 / Forest Lane junction. Forest Lane provides the main vehicular access into Kirklevington village and the operation of the A67 / Forest Lane junction has been assessed using PICADY.

The results of the operational assessment for the A67 / Forest Lane junction demonstrate that the junction would operate with significant spare capacity (RFC<0.85) in 2022, with or without the proposed development, for both the morning and evening peak periods. The maximum RFC value is 0.274 during the morning peak period in 2022 with both the committed and development traffic added which indicates that the junction would operate with plentiful spare capacity.

#### Traffic Modelling – Stockton Borough Council's Transport Assessment

The revised development proposals have been incorporated into the micro-simulation transport model to review the impact of 370 dwellings on the site. The transport modelling provides Technical Services with a more informed response regarding the impact of the development on the wider network, rather than reviewing each junction in isolation as undertaken in the TA.

With 370 houses, the greatest journey time increase in the morning peak is on Worsall Road when the journey time between Allerton Balk to The Spital increases

by 01:16 minutes from a base of 07:09 minutes to 08:26 minutes. Journey times northbound through Yarm on the A67 increase by 01:13 minutes from a base of 09:00 minutes to 10:13 minutes. Acknowledging that the base journey times confirm the network is congested in the morning peak as traffic is travelling slowly through the network, a 1 minute increase does not indicate a significant increase and is within the levels of traffic fluctuation that you would expect on a daily basis. In the evening peak, journey time increases are of a similar magnitude with the greatest journey time increase being on Green Lane eastbound where the journey time between Allerton Balk and Glaisdale Road would increase by 01:32 minutes.

At the Green Lane / A67 roundabout the queue length, with mitigation, is seen to decrease on all arms of the junction during the morning peak, with the exception of Green Lane eastbound. An additional 14 vehicles are anticipated to queue on this arm of the junction during the morning peak. During the evening peak, the queue lengths stay the same or decrease on all arms of the junction except the A67 southbound where an additional 6 vehicles are forecast to queue.

Queues increase at the signalised junction over the railway line on Green Lane, the greatest increase being during the evening peak when an additional 31 vehicles are expected to queue at this junction. The outputs from the model show that this queue can be accommodated and clears without blocking back to the roundabout or hindering the operation of the side road junctions.

The results from the micro-simulation model show that, with mitigation at the Green Lane / A67 roundabout, the development would only marginally increase journey times through the network. Queue lengths increase but the model outputs show that the network operates sufficiently. There is, therefore, no evidence to object to the development on highway capacity grounds as a 1 minute journey time increase is not considered to be a significant adverse impact.

## Off Site Improvements

### Yarm Station Car Park

The development proposes to allocate land for an extension to Yarm Station car park. A preliminary layout plan has been provided which demonstrates that the extended area could accommodate an additional 43 car parking spaces, increasing the current car park from 45 to 88 spaces.

The extension to the car park is welcomed as existing parking demand at the station is high and the improvements would facilitate use of the station. The provision of the station car park extension by the developer, in accordance with the operational requirements of SBC, would form part on any reserved matters application.

The detailed layout which would be provided as a planning condition should include the provision of additional disabled parking bays and cycle parking.

### Yarm High Street

Developments in this area are asked to contribute towards car parking solutions for Yarm High Street. Yarm High Street is congested and, therefore, any increase in movements is considered material and should be mitigated by a contribution towards off-street car parking.

In line with previous developments, this site would be required to provide a contribution, as part of a S106 agreement, towards the provision of 17 off-street public car parking spaces close to Yarm High Street (0.046 spaces per dwelling). The applicant has identified a site north of Yarm High Street that could deliver 34 public

parking spaces and the provision of this car park to the Local Authority would adequately address the mitigation required. Whilst 17 spaces is the minimum that should be provided, as a long stay car park located north of the River Tees the full 34 space car park would be more viable in encouraging long stay car parking.

A S106 should be attached to this application if planning permission is granted to require the applicant to provide to the Local Authority a fully operational long-stay public car park in Yarm prior to occupation of the 10<sup>th</sup> dwelling. If the applicant cannot deliver this car park then an alternative financial contribution towards a Local Authority operated public car park to serve Yarm High Street could be provided. Should this alternative financial contribution be provided then this public car park must be fully operational prior to the occupation of the 10<sup>th</sup> dwelling.

#### Pedestrian and Cycle Connections

The revised application proposes the addition of footways to connect the site to the existing pedestrian network. A footway is proposed between the eastern site access and the existing footway to the west of the Yarm Rail Station car park access to connect the site to the station. The existing pedestrian refuge to the west of Davenport Road would be upgraded with new footways and tactile paving to connect the site with the existing pedestrian infrastructure to the north. At the western access new footways, dropped kerbs and tactile paving would be provided to connect the site to the residential areas to the north. It is proposed that the new footways tie in with the pedestrian refuge proposed as part of the Morley Carr development. The proposals are indicated in the image (Figure A) overleaf. The proposed connections are acceptable. However, given that children would need to cross Green Lane from the proposed development to schools in the north, it is advised that, in the interest of pedestrian safety, the speed limit on Green Lane be reduced to 30mph. The speed limit on Green Lane is currently 40mph and, as part of the Morley Carr development, the speed limit on Allerton Balk is to be reduced from 40mph to 30mph and a speed reducing feature of a traffic island is to be installed on Green Lane to the east of Allerton Balk. It is, therefore, proposed that the introduction of a 30mph speed limit on Allerton Balk should be extended along Green Lane from Allerton Balk to the railway line. The speed reduction works should be delivered as part of a Section 278 Agreement and should include an extension of the street lighting which, as shown in the plan below (Figure B), does not currently extend the full length of Green Lane between Allerton Balk and Davenport Road.

Figure A - Proposed Pedestrian Improvements

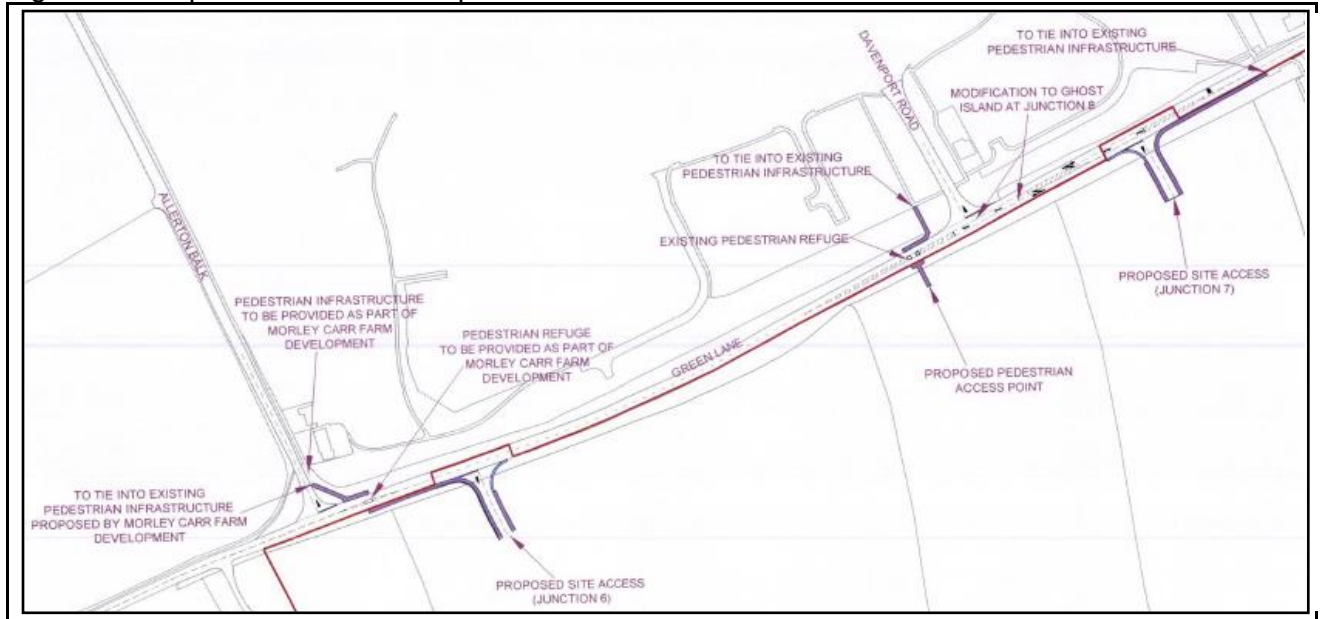


Figure B - Proposed Street Lighting Improvements



### Traffic Regulation Orders

If this site is developed the applicant would be requested to fund the introduction of a Traffic Regulation Orders (TRO's) to introduce:

- The reduction in speed limit on Green Lane from 40mph to 30mph.
- 'No Waiting at Anytime' restrictions on Green Lane. The extent of the TRO would be subject to further discussion with SBC and would be implemented under the Road Traffic Regulation Act.

Funding for the TRO's (£2,000 each) should form part of a Section 106 agreement.

### Highway Safety

The TA considers highway safety and concludes that there are no inherent highway safety concerns. The applicant has provided drawings of the proposed access locations into the site and these are considered to be acceptable. The development also requires the speed limit on Green Lane to be reduced to facilitate pedestrian movement from the development to facilities in the north. The speed limit reduction works and the provision of the accesses should be undertaken through a Section 278 Agreement.

## Travel Plan

### Walking

There are several local amenities within the acceptable walking distance (2 miles) of this development site including Yarm High Street, Healaugh Park shops, Yarm Medical Centre and the local primary and secondary schools. The proposed improvements to the footway network (new footway links and crossing facilities on Green Lane) would improve the walking routes to these amenities.

To further improve opportunities for walking, the speed limit along Green Lane to the front of the development should be reduced from 40 mph to 30 mph. Funding for this should be secured through a Section 106 Agreement.

### Cycling

The inclusion of cycle vouchers for a local cycle store within the residents welcome packs would encourage cycling at this development and this measure should be included within the Travel Plan.

There are several local employment sites within the acceptable cycling distance (5 miles) from this development site including Yarm High Street, Tesco (Eaglescliffe), Nifco, Durham Lane Industrial Estate and Preston Farm Business Park. However there is a significant obstacle to cycling to these locations, namely Yarm High Street, due to the volume of traffic and turning manoeuvres in the High Street.

As part of any proposed improvements to local junctions the needs of non-motorised traffic should be taken into consideration to aid pedestrians and cyclists negotiating the junctions. The proposed improvements at A67 / Worsall Road junction should give priority to cyclists at the junction.

### Public Transport

The provision of free bus travel passes within the residents welcome pack is a positive measure. The welcome pack should provide incentives for residents of a minimum of £100 per dwelling.

The proposal to reroute the No.7 bus service to travel passed the front of the development and stop at a suitable location would bring the majority of the site within desirable walking distance of a bus service, without significantly disadvantaging the existing bus users on the existing estate opposite. The provision of a new bus stop, including shelter, low floor bus platform real-time display and CCTV, on Green Lane should be secured via a S106 contribution. To avoid delays along Green Lane this stop would be provided within an off road lay-by. The details for this rerouting proposal and 'trigger points' for the provision of the bus infrastructure would be finalised with the bus operator, subject to planning approval.

Having the rail station in close proximity to the development site should encourage potential residents to utilise this provision. While the proposed increase to the car park would be of great benefit to the wider community, encouraging rail commuter travel, residents from this development site should be encouraged to travel to the rail station via sustainable modes of travel.

### Car Club

The provision of a car club for the development is a positive measure, especially in reducing the need for second car ownership.

### Electric Vehicle Charging Points

As part of the proposed extension to the car park at the rail station the existing electric charging points (there are two points at this location) would be replaced. As part of this replacement these points should be upgraded in accordance the regional specification as set out in *Charge Your Car (North)* to increase provision and charging capacity – double point chargers (4 no. total charging points) plus an additional rapid charger. Note that the rapid charger would require a new electrical connection.

As part of the operational requirements of the proposed off-street car park north of the River Tees, 2 no. double Electric Vehicle Charging Point chargers (4 no. total charging points) should be provided by the applicant. As demand for electric vehicles increases the spaces would be formally designated.

All posts/charging stations must comply with Open Charge Point Protocol 1.5 to enable communication with regional operator back office and fully integrate with Charge Your Car for both RFID card access and Pay As You Go scheme for data recording, billing and post control.

The provision of Electric Vehicle Charging Points including all electrical connections by the developer, in accordance with the operational requirements of SBC, would form part of any reserved matters application.

### Travel Plan Coordinator

It is positive to report the appointment of a Travel Plan Coordinator (TPC) at the marketing stage of the development. The TPC period of 5 years is acceptable, but this time period should start at the same trigger point as the baseline survey; after the occupation of the 80<sup>th</sup> dwelling and not from the commencement of this position.

### Targets and Monitoring

A target for the Travel Plan has been set not to exceed the trip generation set out in the TA. The submitted Travel Plan advises that modal targets would be set following the baseline survey and this is acceptable.

In summary, should this application be considered for approval, a full Travel Plan must be submitted prior commencement of the development. The Full Travel Plan must include:

- Contact details for the Travel Plan Coordinator;
- Timescales for the Travel Plan Coordinator to be in place;
- Modal split targets and measures to achieve these targets;
- Details of the welcome/marketing pack that is to be given to buyers/occupiers;
- In accordance with other developments locally, the Heads of Terms of the S106 agreement should request £100 per dwelling be made available as a travel plan incentive payment. A total cost of £37,000. The Travel Plan Coordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive.

### Highway Conclusion

The impact of this development on the local highway network has been assessed and is shown to be acceptable subject to mitigation. This is to be secured via S106 contributions, S278 agreements for works to the highway and a Travel Plan. These requirements are summarised as follows:

## S278 works

1. Two new access junctions into the site from Green Lane;
2. Junction improvements at the A67 / Green Lane roundabout junction;
3. Junction improvements at the A67 / Worsall Road junction;
4. Junction improvements at the A67 / Crathorne Interchange junction;
5. Speed reduction works to reduce the speed limit on Green Lane from 40 mph to 30 mph. To include street lighting and signing;
6. New footways, dropped kerbs and tactile paving at both new junctions providing access into the site from Green Lane to connect the development to the existing pedestrian network; and
7. Improvements to the pedestrian crossing to the west of Davenport Road.

## S106 Contributions

- Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to reduce the speed limit from 40 mph to 30 mph;
- Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to prevent vehicles parking around the site accesses and railway station entrance;
- S106 contribution for the provision of an off road (lay-by) bus stop and shelter on Green Lane;
- The provision of an off-street car park close to Yarm High Street (or financial contribution) equipped in accordance with the operational requirements of SBC. This car park must be fully operational as a long-stay car park prior to the occupation of the tenth dwelling on the site; and
- The delivery of Yarm Railway Station car park extension in accordance with the operational requirements of SBC.

## Travel Plan Measures

- Extension to Yarm Railway Station car park; and
- Provision of a £100 travel plan incentive per dwelling (£37,000).

## Landscape & Visual Comments

The following landscape and visual comments are made regarding the submission of the revised plans submitted for 370 no. dwellings:

### Illustrative Master plan

The housing development is now restricted to the western side of the railway that crosses the site from north to south. It allows for 370 no. dwellings and is broadly similar in landscape terms to the previous layout indicated on the preferred option plan ref. SD-10.02 rev C (Option A). It is, therefore, considered, in line with our previous comments, that while a change in the local landscape character would be noticeable due to the proposed development the predicted change would not be significant due to the limited extent of the views and the proximity of existing housing north of Green Lane.

The revised Illustrative master plan ref SD-10.05 continues to allow for open space south of the housing development including footpath, planting and Sustainable Urban Drainage (SUDs) within an informal landscape. This open space feeds into the



housing via new footpaths following existing hedge lines. Several smaller areas of open space are provided at the edges of the housing development as entrance features into the estate and as buffer space between the housing and Green Lane (B1264). This plan has also allowed for one larger area of open space for formal play just south and east of an extended Yarm Station Car park which is discussed in the section on Play Areas.

The previous layout allowed for wide planted verges with specimen trees along the main street to create a sense of character within the development. This revised plan does not allow for this and either the verges should be reinstated in the development or the houses facing the main street should be moved at least 6 metres back to allow for tree planting in the front gardens that is able to develop and thus contribute to the future street scene. Any large parking courts as indicated on the western and eastern site boundaries should be broken up with landscaping to soften their appearance.

### Allotments

The proposed allotments are similar in size to those indicated on the previous layout. On the revised plan the current route of the Public Right of Way (PRoW) could skirt the southern and western edge of the allotments, which is preferred over previous options of taking the path through the allotments. The diversion of the PRoW is acceptable in principle and is a matter that would be addressed as part of the reserved matters application.

A planting buffer must be provided around the car park provided for the allotments especially where abuts the housing areas and is a matter that would be addressed as part of the reserved matters application.

If the developer wished to transfer the allotments to the council then the design must adhere to the council's style guide and council agreed specifications. Again this matter must be addressed as part of the reserved matters application.

### Pylons

A line of pylons runs across the western section of the site through the area set aside for allotments, with one pylon located within the allotments. The design of the allotments should allow for and take account of all requirements relating to the easement. These should be in accordance with the following national grid guidance / this matter must be addressed as part of the reserved matters application.

### Play Areas

This illustrative masterplan has allowed for one larger area of open space just south and east of an extended Yarm Station Car park. Notwithstanding the illustrative Masterplan a condition should be added to any recommendation for approval that requires the reserved matters application to be laid out in accordance with the Open Space, Sport and Recreation Supplementary Planning Document (SPD). This SPD provides the applicant with the methodology of how to allocate the space for open space provision. In addition further details are contained in the Stockton Borough Council's own 'Design Guidance Notes for the Installation of New Play Areas' – available on request. For example, it is noted that the equipped play area shall be in addition to the 0.6 hectares of open space for kick about. Buffer zones of 30m minimum depth would be required between the play area activity zones and the

boundary of the nearest residential property and adopted. This may require the final location to be pulled further into the site to the east. The play area should remain broadly square in shape with good access and the potential for good natural surveillance. The kick about area would be roughly square, flat and well drained.

Play areas of this type usually consist of an equipped play provision that caters for a wide age range (4 – 8, 9 -13 & 13+) and safer surfacing together with associated infrastructure such as: fencing, drainage and CCTV.

It is noted that the areas near the SUDs are for informal recreation only such as walking and any open areas near these SUDs should be designed to discourage ball games.

For proximity to roads consideration should be given to appropriate fencing, gates and barriers need to be provided.

The Indicative requirements for open space based on the initial housing mix of the 370 dwellings currently proposed is described in the PPG 17 Contributions Calculator in the Informative section at the end of this memo. As the final housing mix will determine actual typology and areas of POS then any changed that result from the POS requirements would be addressed as part of the reserved matters application.

Further details of play equipment are to be found in the Informative Section of this Memorandum. ROSPA would also be able to offer detailed advice.

### Planting Strategy

The open space to the south of the housing should be used to create an informal parkland open space. This could include clumps of trees utilising native forest size species such as Beech, Lime and Oak and Pine to suite the rural nature of the existing landscape. This parkland character can be extended into the housing areas through the adjoining open spaces and existing hedgerow corridors which are retained within the plan. Within the open space itself areas of wildflower grassland can be created to improve the biodiversity of the site especially next to the wooded denes to the south. It should be noted that these woods are no longer listed as local wildlife sites although the barrier native hedge planting is still required to protect them as highlighted in the design and access statement.

The layout proposes a wide spectrum of planting areas ranging from structure planting, street trees and amenity grassed areas. Where space allows large trees such as Beech, Lime and Oak could be used to continue the 'parkland theme' in these areas. The reserved matters application would take account of these recommendations for soft landscaping.

### Street Trees within the Adopted Highway

The Local Highway Authority (LHA) would be (subject to agreement of details via a S38 Agreement) accept Street Trees in other functional vegetation in highway verges. The informative Section of this Memorandum includes details on street trees.

### Maintenance

The open space including areas with play equipment and SUDs will have be maintained and managed in perpetuity. This may be through Title Transfer to SBC or

through a management company or other appropriate organisations as deemed acceptable by the LA if not transferred to SBC.

A condition should be added to any recommendation for approval that requires the reserved matters application to provide long term management proposals for the POS on this site a period of 25 years.

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

#### Hard Landscaping, Street Furniture, Lighting and Enclosure

As part of any reserved matters application details of enclosure would have to be agreed. However it is worth noting that enclosure facing the principle distributor roads (adopted highways) should include brickwork with pillars and small sections of timber panelling.

#### Public Art

The artistic enhancement of the public realm would assist in providing a 'sense of place' for the scheme. It is considered that for this scheme this would be best achieved with bespoke enhancements to the hard landscape elements such as fencing and site furniture. Public Art provision should be agreed as part of the Hard Landscaping, Street Furniture reserved matters. .

#### Ground Levels

Details of existing and proposed levels would need to be demonstrated as part of any reserved matters application. For example: levels relating to the creation of level areas for play provision including ball games, swales and ponds that form part of the SUDs and its relation to existing trees.

#### Existing Site Trees

A tree survey including an Arboricultural Impact Assessment has been undertaken in accordance with BS5837 Trees in Relation To Design, Demolition and Construction 2012 and this highlights retention categories for all trees within the defined area.

The tree cover is located mainly around the edges of the site as mature trees within the existing hedgerows. It is not considered that this development will cause significant loss or damage to the existing trees.

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 need to form part of any reserved matters application.

## Environmental Policy Comments

Whilst the renewable energy supply will be in accordance with Core Strategy Policy 3 (CS3 – Sustainable Living and Climate Change) and the requirement to have 10% embedded renewables; the currently available documentation fails to provide any information as to how this will be achieved.

Details are therefore required, supported by data, on predicted energy demand to substantiate the provision of at least 10% of energy demand being met by renewable energy supply under Reserved Matters.

## Flood Risk Management

Information submitted in support of a planning application (Reference 12/1990/EIS) for a residential development south of Green Lane, Yarm has been reviewed. This section summarises the findings of this review and provides details of a planning condition relating to sustainable drainage for the development.

### Review of Flood Risk Assessment

A flood risk assessment (FRA), dated October 2012, has been prepared by JBA Consulting. The FRA concludes the following:

- The development site is predominantly within Flood Zone 1, low probability, and the development type is deemed appropriate;
- A small part of the site is within Flood Zone 3. This area is unsuitable for residential units. The proposed master plan reflects this;
- The development is not at risk of flooding from rivers, the sea, existing sewers, existing infrastructure failure or groundwater;
- There are known surface water flooding problems on Green Lane. The FRA indicates that the cause is likely due to poor highway drainage. Though initial Council investigations show it to be run-off from field;
- Part of the site may be susceptible to flooding as a result of a blockage occurring at the culverted section of Saltergill Beck, underneath the railway line;
- The greenfield run-off rate for the site is 56 l/s, and that surface water flows off site should be restricted to this rate;
- The use of storage ponds has been adopted, to store surface water from the site whilst restricting surface water flows to 56 l/s;
- The development is acceptable in terms of drainage impact and flood risk.

JBA have used a number of methods to calculate the equivalent greenfield run-off from the site:

- FEH Statistical method: 19 l/s (1 in 1 year storm), 556 l/s (1 in 100 + CC year storm);
- IH124 method: 154.6 l/s (1 in 1 year storm), 448.6 l/s (1 in 100 + CC year storm);
- ADAS 345 method: 98.2 l/s 1 in 1 year storm, 284.8 l/s (1 in 100 + CC year storm);

JBA point out that the Environment Agency (EA) have recently published "*Estimating flood peaks and hydrographs for small catchments: Phase 1*", which recommends the use of FEH to calculate flows from existing sites. However, EA standing advice for

local authorities, and the EA's consultation response to this planning application, still refers to the Interim Code of Practice for Sustainable Drainage Systems (ICoP). For catchments up to 200ha, the ICoP recommends the use of the IH124 method.

In spite of the above calculations, JBA have consulted with the EA, and the EA have stipulated that flows should be restricted to a maximum of 3.5 l/s/ha based upon impermeable areas only. This equates to a flow of 56 l/s. If all storms up to and including the 1 in 100 year storms are limited to 56 l/s, then there is likely to be significant betterment for more severe storms. In addition, the nature of flow control devices are that flow varies with head. If flows are restricted to 56 l/s under maximum head conditions (i.e. the 1 in 100 year + CC storm), it is likely that flow will be less than 56 l/s under the 1 in 1 year storm, when head is likely to be lower.

Following consultation, the EA have recommended conditions that must be applied to any consent. In discharge of any planning conditions relating to drainage, the developer should provide details of measures used to restrict flows to 56 l/s for all storms up to and including the 1 in 100 year storm.

SBC have been in discussion with the developer's representatives (Nathaniel Litchfield and JBA) regarding the bund and the potential for overland flow from the site to continue to affect the highway. In order to provide additional protection, a filter drain along the alignment of the current bund, connected into the surface water drainage system, has been offered by the developer. The provision of any additional drainage to this area should be considered as part of the assessment of exceedance pathways and overland flow routes.

Appropriate allowances for climate change, in accordance with the NPPF, should be included within any design submitted in support of a reserved matters application.

In order that the developer considers and agrees SUDS measures with SBC as part of their design, within any design submitted in support of a reserved matters application. A planning condition relating to the provision, management and maintenance of a sustainable drainage system should be applied. Suggested wording of such a condition is provided in the informative Section of this Memorandum.

Examples of potential drainage measures that could be used in this site as part of a drainage strategy are also noted in the Informative section.

## INFORMATIVES

### Street Trees

The Street Trees shall be planted at a maximum of 10m centres and shall be of a stock size of 20 – 25 cm girth, root balled stock type. Trees in grass verges shall be triple staked with wire tree guards. Trees in hard surfaces would require tree grills and guards. Such details would be agreed as part of the Hard Landscape proposals submitted as part of any reserved matters application. Details of the area required for the planting of avenue trees shall be agreed as part of any reserved matters application. The construction details and planting establishment and maintenance specifications for the trees and surfaced pits would be agreed as part of the S38 Agreement for adoption.

### Play Provision

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

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

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

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

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

Younger Play Area

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

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

### Potential SUDS Measures and Maintenance Implications

In determining SUDS measures that can be incorporated into a surface water drainage scheme, the developer should refer to the advice given in CIRIA report C697, *The SUDS Manual*. JBA have suggested that ponds would be used in order to attenuate flows to agreed rates. The provision of SUDS measures closer to source, within the development site, rather than an 'end of pipe' solution such as a pond, may offer advantages in terms of water quality, amenity, and a reduction in required pond volumes.

The following is a summary of SUDS measures that may be incorporated into the drainage scheme by the developer:

#### Roadside swales

Swales are shallow vegetated channels designed to convey road runoff and treat pollutants, and can be used for treatment, attenuation and storage.

There may need to be additional land take in order to provide space for swales between highways and footways.

Maintenance requirements are as follows:

- Monthly inspections to identify mowing requirements;
- Monthly litter removal;
- Scarifying and spiking as required following inspection;
- Repair damaged vegetation as required following inspection.

#### Roadside filter strips

Filter strips are roadside trenches filled with a permeable media to provide treatment and temporary storage of runoff before either infiltration or conveyance to downstream SUDS features. They can be used for treatment, attenuation and storage.

There may need to be additional land take in order to provide space for filter strip between highways and footways.

Due to their appearance, filter strips may not be suitable for use in residential areas.

Maintenance requirements are as follows:

- Monthly inspections;
- Weed control, as required, following inspections;
- Replace clogged material, as required, following inspections.

#### Bio retention Areas

Bio retention areas are shallow landscaped depressed areas that are under drained and rely on enhanced vegetation and filtration to reduce runoff volumes and remove pollutants. They often rely on infiltration, but positive outfalls can be provided where ground conditions are unsuitable for infiltration.

There may need to be additional land take in order to provide space within footway for bio retention areas, although often these areas can form part of the general landscape strategy. They rely on small catchment areas to avoid clogging.

Maintenance requirements are as follows:

- Monthly inspections;
- Weed control, as required, following inspections;
- Annual replacement of top mulch layer;
- Replace damaged vegetation, as required following inspection;
- Spiking or scarifying every 3 years.

#### Ponds

Ponds are basins that embody a permanent pool of water in the base. These may be formed within natural depressions or formed by excavation. The permanent pool provides the required treatment with temporary storage above providing flood attenuation for the required rainfall events.

The development indicates a number of green spaces, and it may be possible to incorporate ponds into these green spaces that would provide both amenity and SUDS benefits. Maintenance requirements are as follows:

- Monthly inspections to determine frequency of maintenance activities;
- Grass cutting following inspection, if required;
- Bank clearance annually following inspection, if required;
- Manage and repair landscaping following inspection, as required;
- Forebay sediment removal, as required;

- Sediment removal from main pond area, typically 25 years or greater.

### Basins

Basins are either naturally occurring vegetated depressions, or excavated depressions in the ground designed to retain surface water runoff for the required period of time to allow treatment and attenuation to take place.

If it is not appropriate to have permanent bodies of water incorporated into the green spaces, then shallow basins that only fill during periods of heavy rainfall may still be possible. Maintenance requirements:

- Monthly inspections to determine frequency of maintenance activities;
- Grass cutting following inspection, if required;
- Bank clearance annually following inspection, if required;

Manage and repair landscaping following inspection, as required.

### Private SUDS measures

In addition to the above, and in accordance with Building Regulations Approved Document H3, 2.6-2.13, the developer should consider the use of permeable surfacing to driveways and other private paved areas, or draining these areas onto/into soft landscaping in preference to a positive outfall. Permeable surfacing could comprise block work, or gravel driveways with flagged wheel tracks. Whilst underlying ground conditions may still result in some run-off from these areas, permeable surfacing may provide benefits in terms of attenuation and water quality improvements.

### Additional Issues to Consider

#### Development Phasing

The drainage strategy for the whole development should be planned such that it isn't reliant on futures phases, should the development be constructed in a phased manner.

The philosophy of SUDS is that surface water is managed as close to source as possible. The incorporation of swales, ponds and basins alongside highways and in open green spaces will contribute towards a surface water drainage system that follows this philosophy.

#### Adoptability

SBC highways have confirmed that they are not averse to the use of SUDS features such as swales and ponds; however a full maintenance plan is required.

As part of their surface water drainage strategy, the developer should prepare a SUDS management and maintenance strategy to be discussed and agreed with SBC.

The design of the drainage system should be carefully considered and discussed with both SBC and Northumbrian Water (NW), in order to ensure that the provision of elements within the system does not compromise the adoptability of other elements (for example, any piped systems that would be offered to NW for adoption under a Section 104 agreement).



#### Existing highway and property flooding

SBC have advised that Green Lane to the north of the proposed development, and properties near the roundabout between Green Lane and A67 have experienced flooding. The JBA report identifies potential poor highway drainage as a contributory factor in the flooding. Anecdotal evidence from SBC suggests that run-off from the current development site is a significant contributory factor. As such, a bund has been constructed adjacent to the highway to the south of Green Lane to the east of North Park House, as an attempt to prevent run-off from the development site flowing onto the highway.

Development of the site, and the provision of a drainage system designed in accordance with current standards, is likely to alleviate any flooding currently experienced.

An assessment of overland flow routes should be undertaken by the developer, to ensure that exceedance flows that are unable to enter the drainage system do not flow onto Green Lane and exacerbate any existing flooding issues.

SBC have been in discussion with the developer's representatives (Nathaniel Litchfield and JBA) regarding the bund and the potential for overland flow from the site to continue to affect the highway. In order to provide additional protection, a filter drain along the alignment of the current bund, connected into the surface water drainage system, has been offered by the developer. The provision of any additional drainage to this area must be considered as part of the assessment of exceedance pathways and overland flow routes.

#### Conditions

In order that the developer considers and agrees SUDS measures with SBC as part of their design, the following planning condition relating to the provision, management and maintenance of a sustainable drainage system should be applied

*No development permitted by this planning permission 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:*

- *Details of the drainage during the construction phase;*
- *Details of the drainage during the construction phase;*
- *Details of the final drainage scheme, including sustainable drainage measures proposed;*
- *Provision for exceedance pathways and overland flow routes;*
- *A timetable of construction;*
- *A construction quality control procedure;*
- *A plan for the future maintenance and management of the system and overland flow routes.*

#### *Reason:*

*To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.*

## Further Comments

### General Summary

This memorandum is supplementary to the previous Technical Services report dated 22 March 2013. This updated report has been prepared in response to the revisions to the Yarm and Ingleby Barwick AIMS Model which were made following the withdrawal of funding for highway improvements in Ingleby Barwick. Further details are summarised below.

Aside from the traffic modelling amendments, all previous comments provided in the Technical Services memorandum dated 22 March 2013 still apply.

### Highway Comments

A transport model has been developed to assess the traffic impacts of a number of proposed developments in the Yarm and Ingleby Barwick area. The model is referred to as the Yarm and Ingleby Barwick AIMS Model (YIBAM) and this model was used to inform the decision making for this planning application.

The impact of this development was tested in the YIBAM on an agreed baseline position that included committed highway improvements (improvements for which developer contributions had been sought). The committed improvements were referred to as the Ingleby Barwick 'west side' improvements and included:

- Signalisation of the Myton Way / Broom Hill Avenue junction (Broom Hill signals);
- Myton Way dualling: between the Myton Way / Ingleby Way (Tesco) roundabout and the Broom Hill signals;
- Ingleby Way dualling to accommodate 2 lanes in each direction between the Myton Way / Ingleby Way / Blair Avenue (Tesco) Roundabout and the Ingleby Way / Barwick Way roundabout. It also includes highway modifications at the Tesco roundabout; and
- The Rings / Queen Elizabeth Way roundabout improvements which includes local widening on Queen Elizabeth Way on the roundabout approaches in both directions.

Previous work concluded that this comprehensive package of highway improvements for the western side of Ingleby Barwick was necessary to accommodate future development traffic associated with the committed residential developments and the Ingleby Barwick Tesco store extension. The delivery of these improvements would create highway capacity and the South West Yarm development would therefore benefit from these improvements. This was demonstrated by the initial modelling work which found that adding additional traffic to Yarm High Street would cause existing background traffic to divert onto other routes. This re-routing of traffic is due to Yarm High Street having limited capacity and therefore traffic diverts onto alternative routes, with Queen Elizabeth Way through Ingleby Barwick providing the most likely alternative route for traffic travelling to and from destinations north of Yarm High Street.

In early April 2013 it was announced that the extension to the Tesco store in Ingleby Barwick would not go ahead. As part of the planning approval for the Tesco store extension, Tesco were funding part of the west side improvements comprising a comprehensive dualling scheme including Myton Way and Ingleby Way designed to mitigate both the store extension and significant housing development. Implementing the agreed highway scheme prior to the occupation of all the houses associated with

this development would provide some ‘headroom’ on the highway network. As a result of the extension not going ahead, the highway improvements associated with the Tesco extension would no longer be funded and could no longer be considered as ‘committed’ in the assessment of the South West Yarm development within the YIBAM.

The results of the initial assessment of the development in the YIBAM showed that the South West Yarm development traffic would have minimal impact on the highway network in Ingleby Barwick. This was largely because the package of committed highway works on the western side of Ingleby Barwick provided sufficient capacity to accommodate the development traffic that was travelling through Ingleby Barwick.

However, given the withdrawal of the Tesco funding for improvements to Ingleby Way and the Tesco roundabout, there was a risk that there would not be capacity on the network on the west side of Ingleby Barwick to accommodate the development traffic. It has therefore been necessary to re-test the impact of the South West Yarm development in the YIBAM to see if the development traffic can be accommodated without the full package of west side improvements. The committed base model has therefore been updated to remove the highway improvements associated with the Tesco extension.

Revising the base model has also provided the opportunity to ensure other developments and infrastructure changes are up to date. The traffic and highway improvements associated with the Rokeby development scheme have been removed from the model as these are no longer forecast to go ahead. The improvements were at The Rings / Queen Elizabeth Way roundabout and included local widening on the roundabout approaches in both directions.

Table 1 shows the impact of the South West Yarm development traffic on journey times within Ingleby Barwick compared with the revised committed base scenario.

Table 1: Journey Time Increases: Committed Base and South West Yarm

Route	2022 Committed Base	2022 Committed + Development		Difference	
(Time)	Difference (%)				
AM Peak (08:00 – 09:00)					
Queen Elizabeth Way to Tesco Rbt	02:39	02:44	00:04	3%	
Tesco Rbt to Queen Elizabeth Way	02:53	03:10	00:17	10%	
Tesco Rbt to Thornaby Rd / Parkway		06:43	07:22	00:39	10%
Thornaby Rd / Parkway to Tesco Rbt		02:36	02:37	00:01	1%
Tesco Rbt to Barwick Way / Low Lane Rbt	02:20	02:28	00:08	6%	
Barwick Way / Low Lane Rbt to Tesco Rbt	02:38	02:39	00:01	1%	
PM Peak (17:00 – 18:00)					
Queen Elizabeth Way to Tesco Rbt	05:32	05:38	00:06	2%	
Tesco Rbt to Queen Elizabeth Way	03:42	03:28	00:14	6%	
Tesco Rbt to Thornaby Rd / Parkway		02:36	02:38	00:02	1%
Thornaby Rd / Parkway to Tesco Rbt		03:22	03:29	00:08	4%
Tesco Rbt to Barwick Way / Low Lane Rbt	02:16	02:19	00:03	2%	
Barwick Way / Low Lane Rbt to Tesco Rbt	03:17	03:36	00:19	10%	

The results in Table 1 demonstrate that without the Tesco or Rokeby improvements, the journey time increases by up to 10% on a number of routes. This increase indicates that the development has a material impact on routes through the west side of Ingleby Barwick and this impact should be mitigated.

The impact of cumulative developments has also been tested in the model. The model was commissioned to review the impact of this development, and others locally, on the highway network. As there are a number of proposed developments within the local area a cumulative assessment was required as the developments together could create an unacceptable cumulative impact on traffic flows within the local area.

A cumulative assessment with this development and the Free School development (12/2517/OUT) shows that in the more congested PM peak, the cumulative impact on Queen Elizabeth Way southbound in the PM peak, without the full package of west side improvements, would be 102% (the current 05:32 minutes journey time would increase to 11:12 minutes). On Barwick Way northbound towards the Tesco roundabout, the journey time would increase by 55% from 03:17 minutes to 05:06 minutes.

Previous work has identified that dualling both Myton Way and Ingleby Way are required to create highway capacity and without any one of the two main sections of this comprehensive scheme, there would be a bottleneck on the west side of Ingleby Barwick that effectively negates any benefit derived from the adjoining section. This is demonstrated in the results with journey time increases on the routes towards the Tesco roundabout increasing as traffic is being held by the bottleneck that is caused by removing the dualling on Ingleby Way.

It is therefore the priority of the Highway Authority to pursue the implementation of the improvements that would have been delivered by the Tesco extension planning approval to provide the capacity to accommodate new trips on the network. The cumulative assessment clearly demonstrates that as the network becomes more congested in future years, journey times increase exponentially as the amount of available highway capacity becomes more constrained.

Funding to complete the west side improvements will therefore continue to be sought from any planning application that has an adverse highway impact on the west side of Ingleby Barwick. Such contributions will be sought on a pro-rata basis from each development and calculated on the proportionate impact that each development has on the west side of Ingleby Barwick.

As identified in Table 1, the development traffic has an impact on journey times on the west side of Ingleby Barwick. On this basis, the maximum impact of this development on journey times on the west side of Ingleby Barwick is 10%. The removal of the Tesco funding leaves a £1.17m contribution outstanding; 10% of this equates to £117,000.

In terms of traffic generation rather than journey times, the Tesco extension was forecast to generate 200 trips in the PM peak hour on this part of the network compared with 48 trips forecast to be generated by the South West Yarm development (based on YIBAM distributions). This development therefore generates approximately 24% of the trips that would have been on the network as a result of the Tesco extension. A contribution towards 10% for these improvements, based on both the journey time impact and trip generation impact, is therefore considered a reasonable and robust requirement.

Technical Services request that the Section 106 Agreement for this development be amended to include a contribution for £117,000 towards the Ingleby Barwick west side improvements to be paid on occupation of the 150th dwelling. All other

requirements to mitigate the transport impact of the development would remain unchanged, which are summarised as follows:

#### S278 works

- Two new access junctions into the site from Green Lane;
- Junction improvements at the A67 / Green Lane roundabout junction;
- Junction improvements at the A67 / Worsall Road junction;
- Junction improvements at the A67 / Crathorne Interchange junction;
- Speed reduction works to reduce the speed limit on Green Lane from 40mph to 30mph. To include street lighting and signing;
- New footways, dropped kerbs and tactile paving at both new junctions providing access into the site from Green Lane to connect the development to the existing pedestrian network; and
- Improvements to the pedestrian crossing to the west of Davenport Road.

#### S106 Contributions

- Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to reduce the speed limit from 40mph to 30mph;
- Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to prevent vehicles parking around the site accesses and railway station entrance;
- S106 contribution for the provision of an off road (lay-by) bus stop and shelter on Green Lane;
- The provision of an off-street car park close to Yarm High Street (or financial contribution) equipped in accordance with the operational requirements of SBC. This car park must be fully operational as a long-stay car park prior to the occupation of the first dwelling on the site; and
- The delivery of Yarm Railway Station car park extension in accordance with the operational requirements of SBC.

#### Travel Plan Measures

- Extension to Yarm Railway Station car park; and
- Provision of a £100 travel plan incentive per dwelling (£37,000).

Subject to all parties agreeing a revised Section 106 Agreement which would mitigate the highway impact of this development, the Head of Technical Services would have no highway objection to this development. If agreement is not reached to mitigate the development impact, the Head of Technical Services would object to the development as there would be an unacceptable impact on the free flow of traffic in Ingleby Barwick.

#### 80. Environmental Health Unit

I have no objection in principle to the development subject to the imposition of the following conditions covering noise; open burning; construction hours; unexpected land contamination and site waste management plan.

#### 81. Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the

planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

## 82. Northumbrian Water Limited

I refer to your letter 29th August 2012 and on web Pod Masterplan rev A 23/7/12. Thank you for consulting Northumbrian Water. In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above I can confirm the following comments. Worsall Road Sewage Pumping Station and Yarm (former sewage treatment works) Sewage Pumping Station have assessment in progress. I may be able to change this comment soon.

### Condition

Development shall not commence until a detailed scheme for the disposal of foul water from 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

The sewerage system and Sewage Pumping Stations to which the development will discharge has reached its design capacity and cannot accept the anticipated flows.

### Further correspondence

Your letter dated 13<sup>th</sup> February 2013 reduced development to 370 houses. Northumbrian Water has reassessed foul flow. Provided the foul drainage is taken to Yarm main Sewage Pumping Station, for example manhole 0601 at Grey Close, capacity is available. (Worsall Road Sewage Pumping Station is still inadequate)

## 83. Spatial Plans Manager

### The supply of deliverable housing land

The Council has produced a report entitled '5 Year Deliverable Housing Supply Final Assessment: 2012 2017'. The Report concludes that the Borough has a supply of deliverable housing land of 4.08 years. The Council is not therefore able to demonstrate a 5-year supply of deliverable housing land. This is a significant material consideration in relation to this application.

### The National Planning Policy Framework (NPPF)

The NPPF states (paragraph 14) that at the heart of the NPPF is the presumption in favour of sustainable development which is a 'golden thread running through both plan-making and decision-taking'. For plan making this includes local planning authorities positively seeking 'opportunities to meet the development needs of their area'. For decision-making it means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: Any adverse

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

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

The Council cannot demonstrate a 5 year supply of housing land. The policies in the development plan that deal with housing supply are therefore to be considered out of date and the proposal must be assessed in relation to the presumption in favour of sustainable development and the tests set out in NPPF paragraph 14, namely that the application should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. Other policies in the development plan that are relevant to the application remain up-to-date and are referenced in these comments.

#### Achieving sustainable development and core planning principles

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

The NPPF states that a set of core land-use planning principles should underpin both plan-making and decision-making. Included in these principles are that planning should 'take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'.

The proposal conflicts with Saved Policy EN13 - Limits to Development and with Point 3i of Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement but no significant environmental harm has been identified as likely to arise from the proposal.

Also included in the core land use principles is 'Every effort should be made objectively to identify and then meet the housing, business and development needs of an area, and respond positively to wider opportunities for growth'. The proposal would assist in addressing the identified need for housing and thus fulfil both a social and an economic role.

#### Relationship to the adopted Development Plan

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

The proposal will need to be assessed in relation to Core Strategy Policy 2 (CS2) Sustainable Transport and Travel. The proposal will need to be assessed in relation to Core Strategy Policy 3 (CS3) Sustainable Living and Climate Change.

#### Housing mix and affordable housing provision

Point 5 of Core Strategy Policy 8 (CS8) states 'Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more'. The applicant has stated that a benefit of the application is 'Provision of 20% affordable housing to be provided either on-site or via a financial contribution to kick-start stalled schemes elsewhere in the Borough'.

In applying this policy the Council has pursued a pragmatic approach based on site characteristics. The site is a greenfield site with no known exceptional site development costs in an area attractive to the market. In these circumstances the relevant target within the target range is 20%. This is the contribution recently agreed in relation to the Morley Carr Farm application (also a greenfield site in an area attractive to the market) and it is important to apply the policy consistently.

The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual affordable housing requirement of 560 dwellings for the borough of Stockton-on-Tees. This includes an annual requirement for the Yarm, Preston and Eaglescliffe housing sub-division of 97 dwellings. Given that the average annual housing requirement for the borough for dwellings of all tenure types is 555 dwellings it is clearly not realistic to meet the TVSHMA requirement in full and this is recognised in the annual affordable housing targets set by Policy CS8. However, the policy also states that the targets are minimums. 20% affordable housing provision would therefore be a significant contribution to the annual target.

#### Open space provision

Point 3 of Core Strategy Policy 6 (CS6) states that 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 SPD.

The Open Space, Recreation and Landscaping SPD includes quantity standards which identify the level of demand caused by new development. Combined with this are minimum acceptable size thresholds which identify when a development becomes large enough to require the provision of on-site open space. The Council have provided a calculator which can be used to identify what the requirements are likely to be for individual developments; it is necessary to assess whether on-site provision meets these standards. In this regard consideration should be given to the 'Vision for Open Space' section of the Open Space, Recreation and Landscaping SPD (paragraphs 4.13 to 4.21). Core Strategy Policy CS11 'Planning Obligations' is also material and contributions should be determined in accordance with guidance contained within the Open Space, Recreation and Landscaping SPD.

#### Environmental Protection and Enhancement

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



However, I do not consider the degree of environmental harm to be significant as the site will incorporate a green landscape buffer to the south and to the south of the site a clearly very significant strategic gap will still be retained preventing the coalescence of Yarm and Kirklevington. It is also relevant in this context that the site is a draft housing allocation. Although the allocation is draft, it is a material consideration that, if confirmed, the Limits to Development would be amended to be cognisant of the allocation.

#### Limits to Development

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

#### Strategic Gaps

Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement, states at Point 3i) 'The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George'. The application site is outside of the Limits to Development for Yarm and forms part of the strategic gap separating Yarm from the villages. The proposed development is therefore, contrary to Point 3i) of Policy CS10.

#### Relationship to the Core Strategy Review of Housing Options process

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

#### Draft Preferred Options Housing Allocations

The results of the Core Strategy Review of Housing have been incorporated into the Regeneration and Environment Local Development Document Preferred Options draft. This document was formally consulted on over an 8 week period in summer/autumn 2012. The application site is identified as a part of a draft allocation. It is therefore, supported as such by professional officer opinion. However, this does not reduce in any way the weight that the Council attaches to any significant policy or environmental constraints that are relevant to these sites. The Council attaches great weight to ensuring that the process of site allocation is an open, transparent and participatory one which allows full opportunity for comment to the wider public and other stakeholders. The preferred options stage cannot therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy.

There is clearly a tension between the site being released for housing development now and the core principle in the NPPF that states that planning should be genuinely plan-led. However, recent decisions by the Secretary of State suggest that this principle is being accorded less weight than the need to demonstrate a five year supply of deliverable housing sites. This is notwithstanding the fact that the Core Strategy Review is housing-delivery led and the Council is seeking to put in place a five year supply of deliverable housing sites as quickly as possible through a plan-led approach.

#### Housing Need and Demand

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

#### The quality of the agricultural land

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

Best and most versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). It needs to be taken into account alongside other sustainability considerations when assessing planning applications. The Planning and Sustainability Statement submitted on behalf of the applicant states that the site is Grade 3b Agricultural and not therefore best and most versatile agricultural land.

#### Landscape Capacity

The Stockton-on-Tees Landscape Capacity Study (July 2011) shows that the site is located within an area assessed as having high landscape capacity.

#### Summarising comments

The proposal needs to be assessed in relation to the presumption in favour of sustainable development. Relevant Core Strategy policies include Policy CS2 - Sustainable Transport and Travel, Policy CS3 - Sustainable Living and Climate Change, Policy CS6 - Community Facilities, Policy CS8 - Housing Mix and Affordable Housing Provision and Policy CS10 - Environmental Protection and Enhancement. It is clearly a benefit of the proposal that it would boost significantly the supply of housing and responds positively to an opportunity for growth. However, it is important to balance this opportunity against the considerations referenced in these comments to consider whether the proposal represents sustainable development.

Further correspondence.

Thank you for consulting the Spatial Planning team on the above application. The application is an amendment to a previous application on which the Spatial Planning team have submitted comments. The previously submitted comments stand in relation to this application.

#### 84. Highways Agency

Further to your re-consultation dated 13 February 2013 in relation to the above planning application, the Highways Agency is now in a position to formally respond.

We can confirm that we still have no objections in principle to planning application 12/1990/EIS subject to the requirement of the following conditions to be attached to any consent that is approved. These are highlighted on the TR110 form under Article 25 of the Town and Country Planning (Development Management Procedure) Order 2010.

Prior to construction of any development on the site, details of improvements to the A19/A67 Crathorne Interchange (as seen on ref: SAJ Transport Consultants Ltd drawing JN0621-Dwg-0027B) shall be submitted to and approved in writing by the local planning authority, following consultation with the Highways Agency.

Reason : In the interests of safety and the free flow of traffic on the A19 and its junctions.

Prior to occupation of any dwellings on the site, the required improvements to the A19/A67 Crathorne Interchange (as set out in the preceding condition) shall be completed to the satisfaction of the local planning authority, in consultation with the Highways Agency.

Reason : In the interests of safety and the free flow of traffic on the A19 and its junctions.

Stage 4 (monitoring) Road Safety Audits shall be carried out using 12 months and 36 months of accident data from the time the improvements works (as set out in the preceding conditions) become operational. The audits shall be carried out in accordance with DMRB HD19/03 and shall be submitted to and approved in writing by the local planning authority following consultation with the Highways Agency.

Reason: In the interests of safety and the free flow of traffic on the A19 and its junctions.

#### 85. The Environment Agency

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

##### Condition 1

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by JBA - final report August 2012 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the site to a maximum of 56 l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

#### Reason

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

#### Condition 2

Notwithstanding details hereby approved, there shall be no part of the dwellings constructed within Flood Zone 3 as defined in the FRA dated 15 August 2012.

#### Reason

To prevent inappropriate development in flood zone 3 in accordance with the approved FRA and to comply with the requirements of the National Planning Policy Framework.

We also offer the following advice:

#### Land contamination

In providing this response the following report has been reviewed:

Preliminary Ground Condition Investigation of land at Green Lane, Yarm. Client: Bellway Homes (NE) Limited. Report No D4114A/1. June 2012. Prepared by Dunelm Geotechnical and Environmental.

With the exception of a railway cutting, the above report indicates that the site has not previously been developed. We therefore agree that there is unlikely to be significant ground contamination present at the site. In creating the railway cutting any material spread onto adjacent land is unlikely to have been contaminated (i.e. material excavated before existence of railway and associated infrastructure).

Please note that reference is made in the above report to the designation of the Sherwood Sandstone as a Major Aquifer. Major aquifers are now referred to as Principal Aquifers.

#### Disposal of Foul Sewage

The Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

#### Car Parking Areas Draining to Ground

The development proposal involves the expansion of Yarm Railway Station from 48 to 88 car parking spaces. Drainage to soakaway from car parking areas for >50 spaces should be passed through an oil interceptor before discharging to ground. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to groundwater.

#### Sustainable Drainage Systems

Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.

Further information on SUDS can be found in:

The CIRIA C697 document SUDS manual

HR Wallingford SR 666 Use of SUDS in high density developments

CIRIA C635 Designing for exceedance in urban drainage - good practice

The Interim Code of Practice for Sustainable Drainage Systems.

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on our website at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's website at [www.ciria.org.uk](http://www.ciria.org.uk)

Further correspondence - Thank you for referring the above application which we received on 13 February 2013.

Having reviewed the amendments to the proposed development, we have no further comments to make. However, please note that the comments set out in our previous letter dated 18 September 2012 (ref: NA/2012/108346/01-L01) still applies.

#### 86. Yarm Town Council

Yarm Town Council object to the proposed development on the land south of Green Lane Yarm and including Yarm School playing fields. This site is outside the current limits of development and is a greenfield site. The plans show several road exits onto Green Lane and also the A67. The latter is one of the busiest roads in the area and the developers are showing an exit onto a blind brow which would be extremely unsafe. Green Lane itself has a single file section with traffic lights at the site of Yarm Station. This cannot be widened so additional traffic will only exasperate an already serious situation and could cause gridlock. The A67 and Green Lane are already congested with traffic. The A67 is a 'through' road from the A19 to Yarm and Ingleby Barwick. The road is also frequently used as a diversion route from the A19 when there are accidents or roadworks. There are considerable traffic queues whenever this happens on top of the daily queues. The development 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 for housing. 735 homes would cause serious pressure on the existing infrastructure of Yarm and on Yarm High Street itself. Also local services would be under immense pressure. 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. The land was purchased by parents for sport activity not housing. 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.

#### 87. Tees Archaeology

The application includes an Environmental Statement chapter on Archaeology and Cultural Heritage and an Archaeological Desk Based Assessment.

The Environmental Statement chapter recognises that an archaeological field evaluation is necessary to properly assess the impact of the development on the significance of heritage assets (L3.2). This is in line with Government Policy (NPPF Para. 128).

The results of this field evaluation are necessary before proper consideration can be given to the planning application. I recommend that any planning decision is deferred until the results of the evaluation are available.

Please do not hesitate to contact me if you require any further information.

Further correspondence

An Iron Age or Romano-British site was noted to the west of the railway station (Area 4; section 8.1). This is a heritage asset of local or regional importance. I agree with the recommendation within the interim report that the archaeological remains do not pose a constraint upon development but that a mitigation strategy should be devised by planning condition (section 8.3). This mitigation should comprise the recording of the remains in Area 4 prior to development by means of archaeological excavation. A number of areas of the development site were excluded from the trial trench evaluation for logistical reasons. These areas are the area beneath the overhead cables (Area 5; Section 7.5) and the current school playing fields. Further mitigation will be required in these areas to characterise and record archaeological deposits.

I recommend the following planning condition to secure the additional archaeological works:-

Recording of heritage assets 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.

This condition is based upon a model recommended to the Planning Inspectorate by the Association of Local Government Archaeological Officers.

Further correspondence

Thank you for the consultation on this revised planning application.

My comments on the previous scheme were set out in correspondence dated 18 December 2012 and these are provided as Appendix 7 of the revision.

The advice remains unchanged as the archaeological site affected by the proposal lays to the west of the railway line and is still within the development boundary.

I would be grateful if you would consider my previous recommendation for a planning condition to ensure that archaeological remains are preserved by record to advance our understanding before they are destroyed by the development (NPPF 141).

#### 88. Natural England

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.

Natural England does not object to the proposed development.

##### Designated sites

There are no designated sites — Special Areas of Conservation, Special Protection Areas, Ramsar, or Sites of Special Scientific Interest within 2 km of the proposal site, and therefore we can confirm that designated sites do not represent a constraint in the planning authority's determination of this application.

##### Protected species

It is noted that surveys for European Protected Species have been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect a European Protected Species. We recommend that the mitigation described in Chapter K of the Environmental Statement, for the protection of breeding birds, and foraging and commuting bats be made subject to planning condition, should permission be granted.

If the proposal site is on or adjacent to a local wildlife site, e.g. Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site before it determines the application.

##### Local landscape

Natural England does not hold information on local landscape character, however the impact of this proposal on local landscape character (if any) is a material consideration when determining this application. Your authority should therefore ensure that it has had regard to any local landscape character assessment as may be appropriate, and assessed the impacts of this development (if any) as part of the determination process.

##### Green infrastructure

Natural England notes that the outline application includes an indicative masterplan for the proposed development. The Stockton-on-Tees Green Infrastructure (GI) strategy is a material consideration when determining this planning application, and the planning authority should ensure that the masterplan supports the vision and strategic objectives of the strategy.

##### Biodiversity enhancements

This proposal presents the opportunity to incorporate features into the design which are beneficial to wildlife such as the incorporation of roosting opportunities for bats, the installation of bird nest boxes or the use of native species in the landscape planting. We recommend that should the Council be minded to grant planning permission, measures to enhance the biodiversity of the site are secured from the applicant. This is in accordance with Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

#### Further correspondence

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 15 September 2013.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application relate largely to size of development being reduced, and are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

#### 89. Private Sector Housing

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

#### 90. Head of Housing

The Strategic Housing Market Assessment (SHMA) 2012 has identified an annual affordable housing need in the borough of 560 units, with the majority of need being for smaller properties.

Core strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision states: Affordable housing provision within a target range of 15 - 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more.

Off site provision or financial contributions instead of on site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

We note from the correspondence dated 11.02.13 submitted as part of this application the developer is committed to providing 20% affordable housing - to be provided either on site or via a financial contribution to kick start stalled schemes elsewhere in the borough. The delivery of affordable housing at the 20% level is acceptable as it is in line with Council policy.

Based on the residential market site scheme of 370 units, 20% affordable housing would equate to up to 74 affordable units. The affordable units should be provided on



site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

In terms of the tenure of the affordable housing units, the Council will seek 30% intermediate and 70% affordable rented.

Based on the findings of the SHMA 2012 and the need to address housing demand issues likely to arise from the introduction of Welfare Reform changes, a high priority will be accorded to the delivery of smaller houses and bungalows. At a borough wide level this equates to a split of 91% smaller 1/2 bedroom properties and 9% larger 3+ bedroom properties.

Affordable housing provision with a tenure and/or property type mix different from the above will only be acceptable where robust justification is provided and must demonstrate either that deviation from the standard sought would make the development either economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

A worked example based on a requirement for 74 affordable units is detailed below:

Tenure: Using the ratio of 70/30, it is proposed the split should be:

Proportion	No. of units	Tenure
70%	52 units	Rent
30%	22 units	Intermediate Tenure
100%	74 units	Total

Bed Size: Using borough wide figures from the SHMA 2012

Size	Proportion	No. of units
2 bed	91%	67 units
3 bed	9%	7 units
Total	100%	74 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
67 Units	2 bed	47 x Rented 20 x Intermediate Tenure
7 Units	3 bed	5 x Rented 2 x Intermediate Tenure

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

#### 91. Durham Tees Valley Airport

No Objection

#### 92. Kirklevington and Castle Leavington Parish Council

Kirklevington and Castle Leavington parish council object to:

- 1) Outside the limits of development, the housing demand and assessment of need, erosion of existing cultivated farm land

- 2) Development document ' preferred options had not been completed before the application was accepted by Stockton Borough Council
- 3) Disastrous effect and disruption to wildlife corridor
- 4) Erosion of the strategic gap as included in the community plan
- 5) Flooding and drainage issues, including effect on surrounding area and neighbouring parishes.
- 6) Traffic congestion; pressure on parking in Yarm; single carriage traffic with lights over railway bridge on green lane; congestion of routes to and from A19, Ingleby Barwick, Yarm, Kirklevington and adjoining parishes using A67, Low Lane, Green Lane and Thirsk Road. Access to and travelling through Yarm.
- 7) Will more than double the size of the parish will destroy the nature of the village
- 8) Pressure on existing infrastructure: health, schools and access to nearest post office in Yarm

#### Further correspondence

This application is being considered when it is outside the limits of development SBC are still in the formal consultation process for changing the development limits We would query the legal basis SBC is using to proceed with an application for housing which cannot be built quickly enough to help in meeting the available housing target.

Evidence from ARUP report shows impact of increase in cars/vehicles on Green Lane, railway bridge single file, Worsall Road and A67

Impact on exit from Forest Lane, Kirklevington due to increase in vehicles on A67. Unable to turn right to A19 and left to access A67 north. ARUP Report shows vehicles accessing A67. Pedestrian crossing would be required from proposed development to allow access to schools, health and Yarm resulting in even more congestion. Road too busy for children and students to cross safely. More vehicles used to transport to schools.

Extensive footpaths would be required along Green Lane.

Traffic congestion travelling to and through Yarm already at limit.

Single carriage traffic with lights over Railway Bridge on Green Lane bottle neck as shown in ARUP report.

Congestion of routes to and from A19, Ingleby Barwick, Yarm, Kirklevington and adjoining parishes using A67, Low Lane, Green Lane and Thirsk Road.

Erosion of existing cultivated farm land

Disastrous effect and disruption to wildlife corridor

Erosion of the strategic gap as included in the Community Plan

Flooding and drainage issues, including effect on surrounding area and neighbouring parishes. SBC claim that they cannot meet the requirement for available housing so need to build on green land BUT it is shown that the sewage system cannot cope.

The sewage authority effectively state that the present system is at its design limit.

Will more than double the size of the parish development within Parish of Kirklevington. Will destroy the nature of the village

Pressure on existing infrastructure: health, schools and access to nearest post office in Yarm. Extra parking in Yarm that will be required - Existing pressure on parking acknowledged by SBC. Lack of sport/leisure facilities

#### 93. Campaign For The Protection Rural England

An Objection Statement from the Campaign for the Protection of Rural England (CPRE), Stockton District.

Use of greenfield land: CPRE wish to remind you of previous comments we have made to Stockton Borough Council relating to the use of greenfield sites for new housing development. We would always expect previously developed land to be used for any new development.

The NPPF paragraph 17 directs, under the 12 Core Planning Principles, that local Councils encourage the effective use of land by reusing land that has been previously developed (brownfield land). Such brownfield land is available within the Borough and should be used in preference to greenfield land.

Limits to Development : According to the associated Nathaniel Lichfield & Partners Planning and Sustainability Report this land is described as being beyond the Limit to Development (ref saved policy EN13). Use of this land for housing development is also considered in breach of Policy CS10 'Environmental Protection and Enhancement' Requires development throughout the Borough to be integrated with the protection and enhancement of biodiversity, geodiversity and landscape "

Bob Neill, a previous Minister of Communities and Local Government said 'Sustainable development must go hand in hand with protecting and making the best use of our valuable green spaces and rural corridors'.

Strategic Gap: In the same document they mention the strategic diagram shows the site as being located within the broad area identified as a 'Strategic Gap' (ref Policy CS10) which surrounds Yarm to the east, south and west. The Strategic Gap to the south between Yarm and Kirklevington is relevant to this proposal.

CPRE consider placing 735 new homes on this site contradicts the intention and interpretation of the CS10 policy and also contradicts the developer's statement that use of this site for housing is consistent with the NPPF.

Transitional LDF: The existing 2008 LDF Review is no longer valid except for some retained policies and the new LDF Review is not likely to be adopted until 2014. This leaves Stockton Borough Council in a very exposed transitional situation, being challenged by developers who prefer to use greenfield land over brownfield land.

Most planning decisions made during this transitional period are now dependent on interpretation of the recent NPPF. The developers are using the rather vague statement within the NPPF to justify their use of greenfield sites. 'the presumption in favour of sustainable development' .

Sustainability has been described in the planning context as 'Development which meets the needs of the present without compromising the ability of future generations to meet their own needs'

The Council must ensure that being rushed by developers into allocating any greenfield land they do not jeopardise the ability of future generations to meet their own needs.

Presumption to develop : The NPPF also states in reviewing the determination of applications under the presumption to develop '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'

CPRE consider this development would have considerable adverse impacts on the character, landscape, infrastructure and amenities of this site and the surrounding area and is contrary to the policies as they were intended in this Framework.

Impact on road traffic: As pointed out by CPRE in the earlier Issues and Options consultation one of the main concerns was that further development of Yarm would have an adverse impact on traffic through the town. It was considered that the highway is presently highly congested and that no development should be allowed that exacerbates traffic problems, parking and through-flow.

Respondents considered that the highway infrastructure would be unable to cope with further traffic congestion and that Yarm does not have the capacity to accommodate the vehicles arising from more housing.

The impact on local roads and highways from this development is emphasised by the current difficulties in negotiating Yarm High Street during morning and afternoon rush hours. This road is an essential route used by a considerable number of Yarm residents commuting to commercial and industrial employment areas in Stockton, further north and to Middlesbrough via the A66. The High Street is unique, having no engineering possibility of alleviating the throughflow of traffic due to its heritage status and being the only access to the narrow bridge over the River Tees.

A further worry would be the difficulty of emergency services vehicles transiting through Yarm with increased congestion in the town.

Until a suitable bypass and new bridge is constructed Stockton Borough Council should not be considering new large-scale development in any areas around Yarm, either in the Limits to Development or, as in the case of this application, outside the Limit to Development.

Impact on community facilities, education, health and recreation : As previous I & O responses were obviously disregarded it is essential the Council take into account a cumulative impact on facilities in the town when considering other planning applications within the Yarm area. Although each planning application is considered on its own merits it is essential the Council consider cumulative effects of future applications on all current aspects of Yarm itself with its already limited road capacity, community, health, recreational and educational facilities.

Potential increase in the town's population: Expansion of the town population. It is also worth noting with the cumulative effect of the large number of existing and potential large-scale planning applications it is likely to almost double the existing population of Yarm. With the town's existing community facilities and little chance of any improvement over the foreseeable future this doubling of the population will have a considerable impact on the existing residents and offer very little benefit to the future residents.

Table 4.8D of the Tees Valley 2012 Strategic Housing Market Assessment (SHMA) states that supply and demand for dwellings in Yarm/Preston/Eaglescliffe are in balance other than in relation to bungalows and detached houses with four or more bedrooms and that the imbalance is not acute. Is this correct and if so why are developers pushing for 4+bed detached houses?

Flooding: It has been reported by residents in the area that flooding has been experienced in Green Lane with sewage flooding into existing properties south of the Conyers School playing field.

Yarm School Playing Fields: CPRE believe that the application should be refused because of the loss of the existing established playing fields which work well and are capable of expansion if required. CPRE have already submitted a very strong objection to the proposal to relocate the Yarm School playing fields from the Green Lane site to land north of the River Tees ' planning application 12/1595/EIS. The proposed site for the new playing fields is within the designated Tees Heritage Park.

The Campaign for the Protection of Rural England (CPRE) strongly urges you to refuse this Outline planning application 12/1990/EIS.

Further correspondence

We note that the sports pitches to the east of the site have now been excluded and consequently the proposed number of houses has been reduced from 735 to 370.

However, all of the points made in our very detailed September letter of objection (written by my colleague – Bob Mullen) still stand, with the exception 11.0 referring to the Yarm School Playing Fields Application 12/1595/EIS, which as you are aware has now been rejected.

We have read the SAJ Transport Consultants Traffic Assessment Report of February 2013 and would dispute its findings. In particular, given the existing permissions awarded to Tall Trees and Morley Carr and the requirement not to exit on to the A67, we do not believe that Green Lane could cope with this further development, particularly taking in to account the traffic controlled railway bridge. We also have concerns that traffic, in desperation, might attempt to access the A67 via Saltergill Lane and Kirklevington which would not be acceptable. The SAJ Report's own findings concede that the road system is, at periods, already operating at or over capacity and even with proposed improvements to roundabouts and additional car parking, would once again exceed capacity in time, were the development to be approved. We take particular exception to their statement that the traffic effect of 370 new houses "is not considered as being significant".

When you have a known serious existing problem with traffic in Yarm, that is basically insoluble without the construction of a new river bridge and bypass, it would be folly to consider exacerbating it with further development on this scale.

Taking into account our earlier comments and the above, we request that you recommend rejection in your report to Planning Committee.

#### 94. Middlesbrough Borough Council

I can confirm that Middlesbrough Council have no concerns or objection regarding the proposal.

Further to the consultation sent to us regarding the above planning application. I can confirm that Middlesbrough Council have no objections to the proposed scheme. Notwithstanding this, it is felt that joint discussions between both Stockton and Middlesbrough Local Authorities, as well as the Highways Agency, need to be undertaken to consider the impact of this and other proposed developments on the surrounding highway network, particularly the A1 9/A1 74 Parkway and A19/A66 interchanges.

Middlesbrough Council has already requested such a meeting in response to the Stockton Regeneration and Environment Local Development Document Preferred Options consultation.

Further correspondence

I can confirm that Middlesbrough Council have no concerns or objection regarding the proposal.

## 95. Sport England

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No.2184), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that is allocated for the use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement.

Sport England has therefore considered the application in the light of its playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being, are laid out as pitches. The policy states that:

"Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies."

Reason: Development which would lead to the loss of all or part of a playing field, or which would prejudice its use, should not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities. Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic well-being of the country.

The application site includes approximately 6.3 Ha of playing field which belongs to, and is utilised by Yarm School. The school are seeking planning permission for replacement playing field on the eastern side of the River Tees adjacent to their central Yarm site (planning application no12/1595/EIS refers).

This replacement proposal is of sufficient scale to more than replace the quantity of playing field that will be lost as part of this proposal. The replacement playing field will also be constructed in accordance with Sport England's design guidance 'Natural Turf for Sport'. Provided the phasing of development between the respective sites is handled correctly (as per the required condition), then it is considered that the proposal meets the following exceptional circumstance;

E4 - Replacement/better quality playing fields provided for

The playing fields of playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development

This being the case, Sport England does not wish to raise an objection to this application, subject to the following condition(s) being attached to the decision notice (if the Council are minded to approve the application):

1) No development shall take place in the part of the application site which contains the Yarm School playing fields until the playing fields proposed in planning application no 12/1595/EIS have been brought into use.

Reason; to ensure that playing field is replaced in accordance with NPPF paragraph 74.

If you wish to amend the wording of the conditions or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

If your Authority decides not to attach the above condition(s), Sport England would wish to lodge a statutory objection to this application. Should your Authority be minded to approve this application without the above condition(s), then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the National Planning Casework Unit.

From the applicant details, ownership certificate and recent site history, Sport England understands that the application (in whole or part) is land currently used by an educational institution as playing field.

Sport England is a recommended consultee on major residential developments, and it uses the opportunity to seek to ensure that the development makes provision (either on site or as commuted sum for off-site) for the sport and recreational needs of residents.

In Stockton's case, Sport England has worked with the Council to establish a formal mechanism which sets out the likely planning contribution required from developments, depending on their scale.

The Open Space, Recreation and Landscaping SPD has now been adopted by the Council. The SPD is accompanied by a residential development contributions calculator.

Sport England would expect this development to make provision for sport / recreation in line with adopted SPD.

Given the mechanism that Stockton have put in place around residential development contributions, Sport England is content to let this process run its course, but would appreciate further consultation on the draft Heads of Terms of the S.106 Agreement.

Finally, Sport England engages with the major pitch sport NGB's on developments that affect playing field. The Football Association have responded and advised Sport England that;

The FA's priority within this area of Stockton is to find additional pitch space for Leven JFC. The playing pitch strategy highlights the lack of junior football pitches within this area of Stockton and the housing development will create additional demand for teams and pitches that can not be accommodated within Yarm.

In order to support this and the linked application (LA ref no 12/1595/EIS), the FA would like to see the current lack of facilities for Leven JFC addressed.

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.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Further correspondence

Thank you for reconsulting Sport England on the above application. The proposal no longer involves the playing fields belonging to Yarm School, but nonetheless as a residential development of more than 300 dwellings, Sport England is a recommended consultee in the consideration of the application.

Sport England has assessed the application against its adopted planning policy objectives. The focus of these objectives is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. The occupiers of any new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should be required to contribute towards meeting the demand they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment.

This requirement is supported by the Governments National Planning Policy Framework, which states:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. (Principle 12 is) that planning should:

*Take account of and support local strategies to improve health, social, and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.” [Paragraph 17]*

*“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

- *Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments...*
- *Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” [Paragraph 70]*

The population of the proposed development could be up to 900. This additional population will generate additional demand for sports facilities. If this demand is not



adequately met then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with Circular 05/05, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

As the application makes no on-site provision for sports facilities / pitches, Sport England would expect the applicant to agree to a commuted sum in accordance with Stockton's Open Space and Recreation SPD, in order to invest in local facilities and pitches that will be expected to serve new residents.

If a commuted sum is not proposed then Sport England would wish this representation to be considered as an objection.

The comments made in response to this application. 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.

#### 96. Teesmouth Bird Club

Teesmouth Bird Club objects for the reasons outlined below. As normal for Planning Applications of this nature, TBC has confined its comments to ornithological impacts and assumes that matters relating to visual and social effects, other individuals and organisations with the appropriate expertise will deal with highways and transportation, and noise.

The Planning Application documents have been appraised by TBC's Conservation Sub-Committee, which considers the main ornithological issues to be:

- (i) The existing value of the development site for breeding and wintering birds viewed against the local and regional contexts and viewed against changes in rural bird populations nationally.
- (ii) The loss of habitat, particularly agricultural land, hedgerow and hedgerow trees.
- (iii) The impact on designated Schedule 1, Red and Amber Listed birds, and UK and Tees Valley BAP species.
- (iv) The impact on the adjacent mature woodlands, including the consequences of these becoming 'urban fringe'.
- (v) Levels of mitigation and enhancement.

These issues are covered in our comments below.

- (i) Planning Issues

#### National Policies and Guidelines

At a National level, the 'National Planning Policy Framework' (NPPF) states that:

"If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

"Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss."

TBC is opposed to the use of greenfield sites for housing development and paragraph 17 of the NPPF states that local councils should encourage the use of previously developed (brownfield) land. Developers are not being economically viable, whereas the true situation is that attractive farmland and woodland settings make housing developments more 'marketable', however, often cite Brownfield sites. As the developer's 'Design and Access Statement' states: "Development at Green Lane, Yarm will have a tangible character that responds to the site's immediate context and local distinctiveness". Section 10.1 of the document also refers to landscaping being used to provide "landmarks or act as focal points". TBC considers that economic expediency and 'marketability' should not take precedent over the destruction of biodiversity.

#### Local Policies

We consider that this development contravenes these policies and it is difficult to understand how the NPPF can be used to defend the destruction of a large area of biodiversity between the two built up areas of Yarm and Kirklevington.

Under saved Local Plan Policy EN13, the site lies beyond the Limits to Development and is not identified for housing and because of this Planning Permission should be refused.

We believe that this development severely compromises Policy CS10 'Environmental Protection and Enhancement' in the Council's 'Core Strategy'. The development site and adjacent mature woodland not only form a vital 'green wedge' between the built-up areas of Yarm and Kirklevington but also a varied wildlife habitat of which the farmland is a vital component. If this development goes ahead it will concrete over the farmland and have dire consequences for farmland birds that depend on it.

#### (ii) Loss of Farmland Habitat - Effects on Farmland Birds

This development will involve a fundamental change in habitat from agricultural land to a largely built environment, with isolated and often unconnected areas of incidental open space and a site, yet again, 'crammed' with houses. Chapter K (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 poorly understood and misrepresented. This blurs the true picture and results in incorrect conclusions in terms of the magnitude of predicted impacts.

TBC's Cleveland Breeding Birds Survey was one of the most comprehensive and accurate surveys ever undertaken in the UK. All areas of each tetrad were covered rather than by using the BTO's transect method, used for larger geographic surveys. The survey revealed the importance of the Green Lane farmland and adjacent woodlands (tetrads 41A and 41F) for a wide range of breeding species, some of which are scarce in a Cleveland regional context, such as Long-eared Owl, Nuthatch and Marsh Tit (see table below).

SPECIES	NO. OF TERRITORIES IN DEVELOPMENT AREA AND ADJACENT WOODLANDS (TETRADES 41A AND 41F)	CLEVELAND STATUS	TOTAL NO OF PAIRS BREEDING IN
MALLARD	11	619	Amber List.
SPARROWHAWK	2	130	
KESTREL	2	131	Amber List.
RED-LEGGED PARTRIDGE	1	148	
GREY PARTRIDGE	3	319	Red List. UK/Tees Valley BAP.
PHEASANT	6	1,202	
MOORHEN	11	451	
LAPWING	1	590	Red List.
FERAL PIGEON	9	3,046	
STOCK DOVE	6	284	Amber List.
WOODPIGEON	65	5,872	
COLLARED DOVE	31	2,733	
CUCKOO	1	83	
LONG-EARED OWL	1	8	
TAWNY OWL	1	179	
SWIFT	9	673	Amber List.
GREAT SPOTTED WOODPECKER	4	173	
SKYLARK	24	1,630	Red List. UK/Tees Valley BAP.
SWALLOW	18	1,164	Amber List.
HOUSE MARTIN	21	970	Amber List.
PIED WAGTAIL	3	460	
WREN	103	6,690	
DUNNOCK	69	5,122	Amber List.
ROBIN	58	4,465	
BLACKBIRD	144	13,229	
SONG THRUSH	13	1,973	Red List. UK/Tees Valley BAP.
MISTLE THRUSH	3	346	Amber List.
SEDGE WARBLER	1	395	
LESSER WHITETHROAT	3	122	
WHITETHROAT	20	1,562	Amber List.
GARDEN WARBLER	1	215	
BLACKCAP	22	1,365	
CHIFFCHAFF	20	1,126	
WILLOW WARBLER	20	2,435	Amber List.
GOLDCREST	6	543	
LONG-TAILED TIT	7	547	
MARSH TIT	4	74	Red List.
COAL TIT	11	703	
BLUE TIT	70	4,763	
GREAT TIT	44	2,234	
NUTHATCH	2	46	
TREECREEPER	1	179	
JAY	1	111	
MAGPIE	13	1,185	
JACKDAW	12	1,995	
ROOK	113	1,841	
CARRION CROW	9	1,100	
STARLING	67	9,067	Red List.
HOUSE SPARROW	141	14,423	Red List.
TREE SPARROW	1	261	UK/Tees Valley BAP.
CHAFFINCH	55	4,406	
GREENFINCH	66	3,693	

GOLDFINCH	18	1,432	
LINNET	8	1,937	Red List. UK/Tees Valley BAP.
BULLFINCH	1	232	Red List. UK/Tees Valley BAP.
YELLOWHAMMER	19	1,094	Red List.
REED BUNTING	3	556	Red List. UK/Tees Valley BAP.

The table shows the ornithological importance of the development site and its immediate wooded environs, containing 10 Red List, 10 Amber List and 7 UK/Tees Valley BAP species, the latter being of such conservation concern that special plans have been drawn up for them. The developer's breeding birds survey involved three relatively short visits on 4th and 30th May and 6th June, all being undertaken during the mid morning period, with no dawn or evening visits to pick up the 'dawn chorus' or crepuscular/nocturnal species, such as Woodcock and Tawny, Little and Barn Owls. The lack of early spring visits means that early breeders as Tawny Owl, Long-tailed, Willow and Marsh Tits and Common Crossbill have not been recorded. In view of this, as the TBCs CBBS shows, some species have been under-estimated or missed altogether, exemplified by the fact that TBC's survey recorded 57 breeding species whereas the EIA survey recorded only 31.

Farmland, such as that at Green Lane, often provides vital over-winter feeding areas for small birds, such as Skylarks, 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.

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 Corn Bunting and Hawfinch are now on the brink of extinction in our area.

### (iii) Impact on Existing Woodlands

The existing mature and developing woodlands comprising Halt Wood, Pitt Wood and Saltergill Plantation (the latter being a Local Wildlife Site) form an important wildlife corridor, linking with Saltergill Beck and the River Leven. The woodlands are, at present, isolated from Yarm by the proposed development site, and are therefore relatively undisturbed. They contain a wide range of typical woodland species were one of the last known breeding sites for Lesser Spotted Woodpecker in Cleveland - a shy and retiring species, only 2 pairs of which were recorded during TBC's CBBS, both in the Yarm area. The woodlands are, therefore, of "County", rather than "Parish Ecological" value. The same criterion applies to Common Buzzard, which was recorded during the developer's breeding bird survey but not during TBC's CBBS, although it has been noted in recent years during the breeding season. This raptor is a rare breeder in Cleveland with probably only 3-4 pairs, although to date no breeding has been proven. Consequently, the EIA record makes the woodlands of "County" importance. The same applies to Long-eared Owl, Marsh Tit and Nuthatch. The conclusions in Chapter K that: "no scarce species or large numbers of any particular species are present" and that the woodland "is considered to be of parish ecological for breeding birds" are incorrect.

In view of the ornithological importance of the southern woodlands, TBC is very concerned about disturbance, increased pressure and anti-social behaviour resulting from the change to an 'urban fringe' location. A "parkland trail" proposed for the southern woodlands will exacerbate the problems of an urban fringe location.

#### (iv) Future Woodland Management

Sensitive, long-term, ecologically-based management prolongs the health and wildlife value of woodlands. Management in urban fringe locations, however, often includes 'health and safety' and visual issues and recreational use, which frequently involves a more 'clinical' approach, such as the felling and clearance of dead timber, thinning of understorey for safety reasons and removal of poor specimens - works that undermine the ecological health of woodlands. 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 Great Spotted Woodpecker and Willow and Coal Tits.

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

Localised thinning and replanting to create an uneven-aged structure in the long-term.

The retention of large stands of conifers for the specialist breeding raptors and passerines.

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

From the indicative housing layout it is evident that a considerable length of existing mature hedgerow is to be removed, particularly in the eastern half of the site and this will result in the loss of a significant number of breeding birds (hedgerows are the most productive habitat for breeding birds as well as providing important linkages).

Mature hedgerow is a very scarce habitat in Cleveland, with most hedgerows being over-maintained and all but useless for breeding birds. The replanting of new hedgerows in mitigation will not mirror the existing situation where current ones form part of the farmland landscape and breeding species will be lost as a result of the clearance.

#### (vi) Mitigation and Compensation

Although well intentioned, 'Landscape Master Plans' fail to compensate for complete habitat change from farmland to urban and cannot replicate what has been lost. Such plans try to provide a universal panacea through the creation of a plethora of habitats, including of trees and tree groups, scrub, strips of meadow and hedgerows and the creation of ponds (often where these did not previously exist). TBC's experience has shown that ponds created in urban fringe locations suffer considerable human disturbance and misuse and, consequently, have a very restricted range of breeding birds.

In section K7.0 of the ES, the developer is 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. Such habitats, however, are already at capacity and have already established 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:

SPECIES	% CHANGE 1970-2009	% CHANGE 1995-2009	% CHANGE 1995-2010
Grey Partridge	-91%	-54%	-55%
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%

'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. There is a nationwide shortage of farmland providing suitable nesting and feeding sites in the breeding season, as well as seeds for over-winter survival (such as from retained stubble). This shortage 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 from this development will survive.

We hope you will find our comments useful and that they will convince your Planning Committee to refuse permission for this environmentally damaging development.

Further correspondence

Thank you for your letter dated 13th February 2013 in connection with the above. Teesmouth Bird Club (TBC) appreciates being consulted again on this significant development. We note the change to the Application whereby the housing is now confined to the west of the railway and reduced from 735 to 370 dwellings.

Having reviewed the changes, Teesmouth Bird Club sees no reason to change its stance from that outlined in its original response dated 25th September 2012 and OBJECTS TO THE APPLICATION. We refer you to this original statement.

In summary, as referred to in our September 2012 response, TBC's key reasons for objection are:

- (i) The existing value of the development site for breeding and wintering birds.
- (ii) The loss of habitats, particularly farmland, hedgerow and hedgerow trees and the birds that depend on these. From the housing layout it is evident that lengths of existing mature hedgerow are to be removed and this will result in the loss of a significant number of breeding birds (hedgerows are the most productive habitat for breeding birds, as well as providing important linkages). Mature hedgerow is a very scarce habitat in Cleveland and the replanting of new hedgerows in mitigation will not mirror the existing situation where the current ones form part of a farmland landscape. Breeding species will be lost as a result of hedgerow removal.
- (iii) The impact of the development on designated Schedule 1, Red and Amber Listed birds (i.e. those of conservation concern), and UK and Tees Valley <sup>1</sup>BAP species. The development site and its immediate environs contain an impressive 11

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Red List, 10 Amber List and 7 UK/Tees Valley BAP breeding species. Some of these are scarce breeders in Cleveland, such as Stock Dove, Long-eared Owl (13% of the total Cleveland breeding population), Cuckoo, Lesser Whitethroat, Marsh Tit and Nuthatch.

(iv) The impact of the development on the adjacent mature woodlands, including the consequences of these becoming 'urban fringe' (disturbance, fly-tipping and vandalism). The woodlands are, at present, isolated from Yarm by the proposed development site and are relatively undisturbed. They contain a wide range of typical woodland species and are one of the last known breeding sites for Lesser Spotted Woodpecker in Cleveland – a shy and retiring species, only 2 pairs of which were recorded during TBC's CBBS, both in the Yarm area and now probably extinct in Cleveland. The woodlands are, therefore, of "County", rather than "Parish Ecological" value. The same criterion applies to Common Buzzard, which was recorded during the developer's breeding bird survey but not during TBC's CBBS, although it has been noted in recent years during the breeding season. This raptor is a rare breeder in Cleveland with probably only 3-4 pairs, although to date no breeding has been proven. Consequently, the EIA record makes the woodlands of "County" importance. The same applies to Long-eared Owl, Marsh Tit and Nuthatch. The conclusions in Chapter K that: *"no scarce species or large numbers of any particular species are present"* and that the woodland *"is considered to be of parish ecological for breeding birds"* we believe to be incorrect.

(v) Contravention with the NPPF and Local Planning Policies relating to the environment and sustainability, particularly Local Plan Policies EN13 (the Application site lies outside the limits to development) and CS10.

(vi) TBC is opposed to the use of green field sites for large-scale development, particularly where these are of ornithological value such as the area affected by this Application.

(vii) Chapter K (Ecology) of the Environmental Statement significantly understates the impact of the development on farmland and this blurs the true picture, resulting in incorrect conclusions concerning the magnitude of predicted ornithological impacts. The developer's breeding birds survey involved three relatively short visits on 4th and 30th May and 6th June, all being undertaken during the mid morning period, with no dawn or evening visits to pick up the 'dawn chorus' or crepuscular/nocturnal species, such as Woodcock and Tawny, Little and Barn Owls. The lack of early spring visits means that early breeders such as Tawny Owl, Long-tailed, Willow and Marsh Tits and Common Crossbill have not been recorded. In view of this, some species have been under-estimated or missed altogether, exemplified by the fact that TBC's CBBS recorded 57 breeding species whereas the EIA survey recorded only 31. No winter bird survey has been carried out to assess the ornithological impact of the development on wintering birds.

(viii) The farmland at Green Lane provides vital over-winter feeding areas for small birds, such as Skylarks, sparrows, finches and buntings, and the loss of such areas is contributing to the continuing decline of these species in the UK. 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 Corn Bunting and Hawfinch are now on the brink of extinction in our area.

We hope you will find our comments useful and that they will convince your Planning Committee to refuse permission for this environmentally damaging development.

97. Stockton Police Station - Eddie Lincoln

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

98. The Ramblers Association

The Ramblers Association have no further comment to make at this stage to the revised application. No doubt we will have some comments to make at the reserved matters stage should the Council approve this application.

99. Network Rail

Thank you for your letter of 13/02/2013 providing Network Rail with an opportunity to comment on the abovementioned application.

In relation to the above application I can confirm that Network Rail have no further comments to make on the additional information supplied for the above application other than those returned in response to the original application as detailed below which still apply.

Thank you for your letter of 28 August 2012 providing Network Rail with an opportunity to comment on the abovementioned application.

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met.,.

We note in particular the provision of an extended station car park to cater for the anticipated increase in travel from the station, and to recognise and overcome an existing deficiency in existing provision. Whilst such increased provision is welcome, it should be remembered that the facility (assuming it is divested to Stockton Council, as we believe the existing car park is run (i.e. it is not in the station lease area) will be recognised as a station facility under the 1993 Railways Act and could not be subsequently disposed of without the permission of the Rail Regulator.

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.



Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

The provision of two balancing ponds is noted to the east of the railway. Provision should be made to ensure the ponds do not interfere with the railway drainage and as such we would request that the following monitoring condition be put in place should the drainage modelling turn out in reality to be incorrect:

Standard drain monitoring:

“the surface drainage system of the development will be monitored for a period of two years from the completion of the development and any unforeseen problems caused by the increase of surface water from the development into the railway drainage system shall be rectified by the applicant to the approval of the LPA “

#### Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail’s property, must at all times be carried out in a “fail safe” manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

#### Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

#### Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail’s Asset Protection Project Manager.

#### Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail’s boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail’s existing fencing / wall must not be removed or damaged.

#### Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

#### OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

#### Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

#### ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act

1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

#### Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

#### Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

##### Acceptable:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees – Pines (*Pinus*), Hawthorne (*Cretaeagus*), Mountain Ash – Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicatata "Zebrina"

##### Not Acceptable:

Alder (*Alnus Glutinosa*), Aspen – Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore – Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus Hispanica*).

A comprehensive list of permitted tree species is available upon request.

#### Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application. A suggested condition is attached:

Standard lighting condition: For the first three months following the installation and operation of the new lighting an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or light adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the local planning authority in association with Network Rail and the train operating companies

#### Children's Play Areas/Open Spaces/Amenities

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

It is realised that much of the above does not apply directly to the application but should be taken into consideration as appropriate. Nevertheless it gives a useful guide as to the considerations to be taken into account in relation to development adjacent to the railway. I would advise that in particular the drainage, boundary fencing, soundproofing, lighting and landscaping should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

#### **PUBLICITY**

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

101. 344 letters of objection from residents were received in respect of the original submission from the following addresses: -

1 Ash Grove, Kirklevington	11 Westlands, Kirklevington
1 Carpenter Close, Yarm	112 Davenport Road, Yarm
1 Egglecliffe Court, Egglecliffe	118 The Meadowings, Yarm
1 Holmdene, Yarm	12 Beaumont View, Norton
1 Kirklevington Hall Drive, Kirklevington	12 Cromer Court, Egglecliffe
1 Mayes Walk, Yarm	12 Hall Moor Close, Kirklevington
1 Poplar Court, Yarm	12 Oughton Close, Yarm
1 Seymour Grove, Egglecliffe	12 Sefton Way, Yarm
1 Spitalfields, Yarm	12 Stevenson Close, Yarm
1 The Green, Kirklevington	13 The Green, Kirklevington
1 Wardell Close, Yarm	14 Ash Grove, Kirklevington
1 Wells Cottages, Egglecliffe	14 Battersby Close, Yarm
10 Ash Grove, Kirklevington	14 Braeside, Kirklevington
10 Battersby Close, Yarm	14 Strathmore Drive, Kirklevington
10 Garsdale Close, Yarm	14 The Green, Kirklevington
10 Grisedale Crescent, Egglecliffe	14 Troutdale Close, Yarm
10 Hall Moor Close, Kirklevington	15 Braeside, Kirklevington
10 Manor Close, Worsall, Yarm	15 Busby Way, Yarm
10 Manor Drive, Hilton	15 Canon Grove, Yarm
10 The Green, Kirklevington	15 Dentdale Close, Yarm
10 The Rigg, Yarm	15 Kirklevington Grange, Yarm
11 Atlas Wynd, Yarm	15 Knaith Close, Yarm
11 Brookwood Way, Egglecliffe	15 Mayes Walk, Yarm
11 Dentdale Close, Yarm	15 Merryweather Court, Yarm
11 Kingsdale Close, Yarm	15 Strathmore Drive, Kirklevington

16 Kingsdale Close, Yarm  
 17 Ash Grove, Kirklevington  
 17 Battersby Close, Yarm  
 17 Goose Pasture, Yarm  
 17 Levington Mews, Kirklevington  
 17 The Rigg, Yarm  
 18 Ash Grove, Kirklevington  
 18 Church Road, Eggescliffe  
 18 Friarswood Close, Yarm  
 18 Grove Bank, Kirklevington  
 18 Merlay Close, Yarm  
 18 Valley Gardens, Eggescliffe  
 19 Birchfield Drive, Eggescliffe  
 19 Church Road, Eggescliffe  
 19 The Green, Kirklevington  
 19 The Rigg, Yarm  
 1A Countisbury Road, Norton  
 2 Bankside, Yarm  
 2 Eggescliffe Court, Eggescliffe  
 2 Field View Mews, Green Lane, Yarm  
 2 Finchfield Close, Eggescliffe  
 2 Highfield Gardens, Eggescliffe  
 2 Knowles Close, Kirklevington  
 2 Ryedale Close, Yarm  
 2 Stevenson Close, Yarm  
 2 The Green, Kirklevington  
 2 Troutsdale Close, Yarm  
 20 Carew Close, Yarm  
 20 Cotherstone Close, Eggescliffe  
 20 Garsdale Close, Yarm  
 20 Kingsdale Close, Yarm  
 20 The Green, Kirklevington  
 20A Ash Grove, Kirklevington  
 21 Battersby Close, Yarm  
 21 Castle Dyke Wynd, Yarm  
 21 Hird Road, Yarm  
 21 Mount Leven Road, Yarm  
 21 The Green, Kirklevington  
 21 The Green, Kirklevington  
 21 The Slayde, Yarm  
 21 Wardell Close, Yarm  
 22 Ash Grove, Kirklevington  
 22 Carew Close, Yarm  
 22 Davenport Road, Yarm  
 22 Forest Lane, Kirklevington  
 22 Kingsdale Close, Yarm  
 22 Mount Leven Road, Yarm  
 22 St Martins Way, Kirklevington  
 22 The Larun Beat, Yarm  
 24 Ash Grove, Kirklevington  
 24 Garsdale Close, Yarm  
 24 Hemingford Gardens, Yarm  
 24 Spitalfields, Yarm  
 24 St Martins Way, Kirklevington  
 25 Ash Grove, Kirklevington  
 25 Howden Dike, Yarm  
 26 Carew Close, Yarm  
 26 Garsdale Close, Yarm  
 27 Carew Close, Yarm  
 27 Sideling Tails, Yarm  
 27 St Martins Way, Kirklevington  
 28 Castle Dyke Wynd, Yarm  
 28 Crosswell Park, Ingleby Barwick  
 28 Davenport Road, Yarm  
 28 Mount Leven Road, Yarm  
 28 St Martins Way, Kirklevington  
 28 The Green, Kirklevington  
 29 Canon Grove, Yarm  
 29 Enterpen Close, Yarm  
 29 Limpton Gate, Yarm  
 29 The Slayde, Yarm  
 3 Canon Grove, Yarm  
 3 Church Close, Eggescliffe  
 3 Dinsdale Drive, Eggescliffe  
 3 Fairfax Road, Middleton St George  
 3 Kirklevington Hall Drive, Kirklevington  
 3 Lane End Cottages, Thirsk Road, Kirklevington  
 3 Middleton Close, Eggescliffe  
 3 Ryedale Close, Yarm  
 3 Seymour Avenue, Eggescliffe  
 3 St. Martins Way, Kirklevington  
 3 Troutsdale Close, Yarm  
 3 Valley Close, Yarm  
 3 Westworth Close, Yarm  
 30 Atlas Wynd, Yarm  
 30 Coatham Vale, Eggescliffe  
 30 The Green, Kirklevington  
 31 Limpton Gate, Yarm  
 31 The Slayde, Yarm  
 32 Ash Grove, Kirklevington  
 32 Carew Close, Yarm  
 32 Crosswell Park, Ingleby Barwick  
 32 The Slayde, Yarm  
 33 Carew Close, Yarm  
 33 Mount Leven Road, Yarm  
 34 Butterfield Drive, Eggescliffe  
 34 Canon Grove, Yarm  
 34 Carew Close, Yarm  
 34 Forest Lane, Kirklevington  
 34 The Green, Kirklevington  
 35 St Nicholas Gardens, Yarm  
 36 Knaith Close, Yarm  
 36 St Martins Way, Kirklevington  
 37 Ash Grove, Kirklevington  
 37 Carew Close, Yarm  
 37 Dentdale Close, Yarm  
 37 Goose Pasture, Yarm  
 37 Griffiths Close, Yarm  
 37 Limpton Gate, Yarm

37 Mayfield Crescent, Eaglescliffe  
 38 Ash Grove, Kirklevington  
 38 Carew Close, Yarm  
 39 Forest Lane, Kirklevington  
 39 Goose Pasture, Yarm  
 39 Grisedale Crescent, Egglecliffe  
 39 Limpton Gate, Yarm  
 39 Lingfield Road, Yarm  
 4 Church Road, Egglecliffe  
 4 Dentdale Close, Yarm  
 4 Foxton Close, Yarm  
 4 Kirklevington Hall Drive, Kirklevington  
 4 Knaith Close, Yarm  
 4 Lane End Cottages, Thirsk Road,  
 Kirklevington  
 4 Oughton Close, Yarm  
 4 Ryedale Close, Yarm  
 4 St Martins Way, Kirklevington  
 4 The Green, Kirklevington  
 4 Troutsdale Close, Yarm  
 4 Valley Drive, Yarm  
 40 Forest Lane, Kirklevington  
 40 St Nicholas Gardens, Yarm  
 41 Goosepasture, Yarm  
 42 Ash Grove, Kirklevington  
 43 Ash Grove, Kirklevington  
 43 Glaisdale Road, Yarm  
 44 Forest Lane, Kirklevington  
 44 The Larun Beat, Yarm  
 44 West Street, Yarm  
 45 Limpton Gate, Yarm  
 45 Worsall Road, Yarm  
 47 Forest Lane, Kirklevington  
 48 Butterfield Drive, Egglecliffe  
 48 Grisedale Crescent, Egglecliffe  
 49 Limpton Gate, Yarm  
 49 The Slayde, Yarm  
 5 Denevale, Yarm  
 5 Knaith Close, Yarm  
 5 Moor Close, Kirklevington  
 5 Newbiggin Close, Egglecliffe  
 5 Newsam Road, Egglecliffe  
 5 Ryedale Close, Yarm  
 5 Strathmore Drive, Kirklevington  
 5 Wardell Close, Yarm  
 51 Forest Lane, Kirklevington  
 51 Goose Pasture, Yarm  
 51 Wetherall Avenue, Yarm  
 54 Mount Leven Road, Yarm  
 54 Scugdale Close, Yarm  
 55 Forest Lane, Kirklevington  
 55 Limpton Gate, Yarm  
 57 Beckwith Road, Yarm  
 57 Limpton Gate, Yarm  
 57 Lingfield Road, Yarm  
 58 Hemingford Gardens, Yarm  
 59 Debruse Avenue, Yarm  
 59 Forest Lane, Kirklevington  
 59 The Larun Beat, Yarm  
 592 Yarm Road, Eaglescliffe  
 598 Yarm Road, Eaglescliffe  
 6 Eastbourne Avenue, Egglecliffe  
 6 Grassholme Way, Egglecliffe  
 6 Knaith Close, Yarm  
 6 Middleton Close, Egglecliffe  
 6 Moor Close, Kirklevington  
 6 Ryedale Close, Yarm  
 6 St Martins Way, Kirklevington  
 6 Staindale Close, Yarm  
 6 The Green, Kirklevington  
 6 Westworth Close, Yarm  
 60 Mount Leven Road, Yarm  
 61 Limpton Gate, Yarm  
 62 Canon Grove, Yarm  
 64 Limpton Gate, Yarm  
 66 Mount Leven Road, Yarm  
 67 Forest Lane, Kirklevington  
 680 Yarm Road, Egglecliffe  
 7 Atherton Way, Yarm  
 7 Bankside, Yarm  
 7 Kelsterne Close, Yarm  
 7 Kirklevington Hall Drive, Kirklevington  
 7 Mount Leven Road, Yarm  
 7 Parkstone Place, Egglecliffe  
 7 Rudby Close, Yarm  
 7 Ryedale Close, Yarm  
 7 The Orchard, High Church Wynd, Yarm  
 7 Uldale Drive, Egglecliffe  
 7 Wardell Close, Yarm  
 7 Westlands, Kirklevington  
 70 Forest Lane, Kirklevington  
 72 Forest Lane, Kirklevington  
 74 Mount Leven Road, Yarm  
 79 Davenport Road, Yarm  
 8 Grisedale Crescent, Egglecliffe  
 8 Jasmine Fields, Kirklevington  
 8 Ryedale Close, Yarm  
 8 Scholars Court, West Street, Yarm  
 8 St Martins Way, Kirklevington  
 8 Stonehouse Close, Yarm  
 8 West Street, Yarm  
 8 Westlands, Kirklevington  
 85 Valley Drive, Yarm  
 9 Atherton Way, Yarm  
 9 Canon Grove, Yarm  
 9 Carew Close, Yarm  
 9 Glaisdale Road, Yarm  
 9 Kingsdale Close, Yarm  
 9 Leven Road, Yarm  
 9 St Martins Way, Kirklevington

9 The Rigg, Yarm  
 9 Troutsdale Close, Yarm  
 90 Forest Lane, Kirklevington  
 92 Forest Lane, Kirklevington  
 94 Forest Lane, Kirklevington  
 Crossways, Thirsk Road, Yarm  
 Dingle House, Egglecliffe  
 Far End Cottage, Worsall Road, Kirklevington  
 Field House Farm, Worsall Road, Yarm  
 Folly View, Far End Farm, Worsall Road, Kirklevington  
 Lane End Cottages, Thirsk Road, Kirklevington  
 Laneside, Back Lane, Egglecliffe  
 Limpton House, Green Lane, Yarm  
 Meadowdene, Green Lane, Yarm  
 102. The main concerns were: -  
 Close proximity  
 Devaluation of property prices  
 Development not suitable for area  
 Effecting drains  
 Loss of open space/ greenfield  
 Loss of privacy  
 Loss of amenity  
 Loss of light  
 Means of access  
 Over development of site  
 Overdevelopment of Yarm  
 Scale/size of development  
 Traffic or Highways  
 Drainage and Services  
 Access road near to Conyers School is also in a very dangerous location  
 Greenfield site  
 Limited access to shops across a busy junction  
 Lack of infrastructure and facilities in the area such as health centres, schools, shops, community centres, youth clubs, library, park, post office which will be unable to cope with proposed development  
 Existing schools and medical services at full capacity  
 No plan for extra school places therefore children's education will suffer  
 Lack of bus service/roads to Middlesbrough  
 Destruction of wildlife habitats and rare species  
 Damage to Tees Heritage Park/ Wildlife Corridor  
 Site is prone to flooding due to overfilled drains  
 Increased traffic congestion to unacceptable levels  
 Existing vehicular access in and out of Yarm is unacceptable  
 Strategic review of Yarm's development and infrastructure needs for the next 20 years should be carried out.  
 Situated in the Strategic Gap  
 Area is valued for biodiversity and leisure activities  
 Development is located within flood zone 1  
 Sewage disposal system is at full capacity  
 Site is unsustainable  
 Sequential test should be carried out on this option of development  
 Increased traffic congestion at shell roundabout and Conyers school entrance

Loss of good arable farming/ agricultural land  
 The Rossmath cattery & kennels & the animals quartered there will be adversely affected  
 Additional parking at Yarm Station is too small and will increase traffic congestion  
 Additional traffic created on the A19 and A67  
 Light pollution created from floodlighting  
 A by pass is required in Yarm  
 Park and Ride option is not feasible  
 Area of land is used by air ambulance helicopter  
 Anti-social behaviour/crime  
 Back land development  
 Car parking issues evident on Yarm High Street  
 Creation of litter  
 Health concerns  
 Increased noise pollution  
 Visual impact  
 Development at Allens West already approved leading to increase in traffic  
 The pressure on the potential availability of school places, and the demand on doctors and dentists.  
 Sufficient brown field land elsewhere in borough  
 Set precedent  
 No consideration of leisure facilities in area  
 Smell/fumes  
 Pinch points on our road networks that no amount of mitigation can overcome, these being Yarm High Street (that cannot be widened), Cleveland Bay Traffic lights, Yarm Road, Durham Lane and Urray Nook Road  
 Increased air pollution  
 Impact of traffic from all proposed developments  
 Premature before Council has decided on possible future housing sites  
 Limited recreational facilities in the South of Stockton-on-Tees  
 Increased pressure on the Emergency Services  
 Closing of the Strategic Gap between Yarm and Kirklevington  
 Lack of Amenities  
 The proposed car park will not significantly change the traffic flow and congestion  
 Development should not be considered in isolation from other proposed and approved housing sites  
 Loss of natural habitat and good quality agricultural land  
 Turning Yarm into a Ingleby Barwick housing estate  
 Increases urban sprawl of the borough  
 Leven Bridge is extremely narrow and dangerous for traffic  
 Job creation will be temporary  
 Impact on character of Yarm  
 Creation of terracing effect  
 Outside limits to development  
 Independent survey for traffic and air pollution should be carried out  
 Increase in traffic congestion have negative impact on local shops and businesses  
 Greenfield site  
 No demand for additional houses  
 Inadequate highway infrastructure  
 Impacts on the environment  
 Closing of the Strategic Gap between Yarm and Kirklevington  
 Density of proposed development is too high  
 Negative impact for local wildlife  
 Focus on Stockton Town Centre instead  
 Proposed car park will have no benefit for shoppers



Adverse impact on nature conservation  
 Area will be overcrowded  
 Loss of ancient hedgerows  
 Loss of playing fields capable of expansion  
 Scale of development is excessive and inappropriate  
 Overdevelopment of a natural green space  
 Existing car parking in Yarm is insufficient  
 Overpopulate the area  
 Cause social issues  
 Increase the length of the work and school day  
 Population could increase by more than 50%  
 Lower cost, higher density housing is needed in the borough  
 Green Lane is restricted by a single lane bridge over the railway  
 The road network in and around Yarm is in a poor state of repair  
 The proposed development is larger than the existing village of Kirklevington  
 Development will adversely affect the quality of life for residents in the area  
 No employment support for the developments population  
 Increased traffic pollution is detrimental to health  
 Ruin biodiversity of the area  
 Regional Spatial Strategy are not a true reflection in the current economic climate  
 and should not be used  
 Large amount of housing already approved  
 Detrimental to Yarm's tourism  
 No plan to improve road network  
 Applications should not be dealt with on a case by case basis  
 Increased demand for community services  
 Encroaches onto a strategic gap  
 Damage wildlife corridor from Leven Valley to North Yorkshire

103. 26 letters of support were received in respect of the original submission from the following addresses: -

16 Berriedale Drive, Darlington	Clipstone House, Gatherley Road,
East Park Cottage, Hutton Lane,	Brompton on Swale
Guisboough	Hemmelstones, Clack Lane, Osmotherley
Yarm Chamber of Trade, 44 High Street,	3 Millclose Walk, Winterton Park,
Yarm	Sedgefield
Brunlea, Tame Bridge, Stokesley	6 Darlington Road, Heighington, Newton
15 Church Croft, Pooley Bridge, Penrith	Aycliffe
34 Northfield Drive, Stokesley	2 The Old Hospital, Bankdam Farm,
5 Hawthorn Grove, Yarm	Wheatley Hill
The Gables, Low Worsall, Yarm	50 High Street, Norton
Hymers College, Hull	67 Barker Road, Middlesbrough
Heathwaite, Thirsk Road, Yarm	3 Millclose Walk, Sedgefield
27 Angrove Close, Yarm	Redwood House, Darlington Road, Elton
21 The Pasture, Ingleby Barwick	72 High Street, Swainby
17 High Street, Hinderwell, Saltburn.	5 Durham Lane, Easington Village,
255 High Street, Northallerton	Peterlee
69 High Street, Yarm	

4 representations were received from the following addresses:-

The Old School House, Low Worsall	6 Staindale Close, Yarm
17 Leven Road, Yarm	11 Kingsdale Close, Yarm

The grounds of support were as follows:-

Existing sports facilities no longer compatible  
Close proximity to transport links  
Close proximity to services, i.e. schools, shops  
More local jobs  
Increased parking spaces in Yarm Town Centre  
Increased housing stock, which includes affordable housing supports the economy  
Provides public open space and recreational facilities  
Improvements to Yarm Station promotes sustainable travel  
New sporting facilities closer to existing school which increases student safety  
The development of public footbridge, allotments and nature trails enables easier access to the countryside and encourages healthier lifestyle  
Alleviate traffic congestion in Yarm  
Improve bus links between the Station and High Street

Following consultation on the revised proposal 87 objections were received from 70 addresses,

1 Seymour Grove, Eaglescliffe, Stockton-on-Tees TS16 0LB	20A Ash Grove, Kirklevington, Stockton-on-Tees TS15 9NQ
1 Spital Fields, Yarm, TS15 9HF	21 Hird Road, Yarm, Stockton-on-Tees TS15 9DX
10 Ash Grove, Kirklevington, Stockton-on-Tees TS15 9NQ	21 The Slayde, Yarm, Stockton-on-Tees TS15 9HZ
10 Battersby Close, Yarm, Stockton-on-Tees TS15 9RX	22 Davenport Road, Yarm, TS15 9TN
10 The Rigg, Yarm, TS15 9AX	23 Garsdale Close, Yarm, TS15 9UH
12 Oughton Close, Yarm, Stockton-on-Tees TS15 9SZ	24 Ash Grove, Kirklevington, Yarm, TS15 9NQ
15 Canon Grove, Yarm, Stockton-on-Tees TS15 9XE	25 The Slayde, Yarm, Stockton-on-Tees TS15 9HZ
15 Kirklevington Grange, Yarm, Stockton-on-Tees TS15 9LL	28 Crosswell Park, Ingleby Barwick, Stockton-on-Tees TS17 5BE
15 Strathmore Drive, Kirklevington, TS15 9NS	29 Enterpen Close, Yarm, Stockton-on-Tees TS15 9RT
17 Ash Grove, Kirklevington, Stockton-on-Tees TS15 9NQ	3 St Martins Way, Kirklevington, Stockton-on-Tees TS15 9NR
17 Battersby Close, Yarm, Stockton-on-Tees TS15 9RX	3 The Green, Kirklevington, TS15 9NW
17 The Rigg, Yarm, TS15 9AX	3 Troutdale Close, Yarm, TS15 9UW
18 Grove Bank, Kirklevington, Yarm, TS15 9NJ	3 Valley Close, Yarm, TS15 9SE
2 Eggescliffe Court, Eggescliffe, Stockton-on-Tees TS16 9BU	30 Atlas Wynd, Yarm, Stockton-on-Tees TS15 9AD
2 Knowles Close, Kirklevington, Yarm, TS15 9NL	33 Mount Leven Road, Yarm, TS15 9RJ
20 Carew Close, Yarm, TS15 9TJ	34 Carew Close, Yarm, Stockton-on-Tees TS15 9TJ
20 Church Road, Eggescliffe Village, TS16 9DQ	39 Lingfield Road, Yarm, Stockton-on-Tees TS15 9RB
20 Kingsdale Close, Yarm, Stockton-on-Tees TS15 9UQ	4 Carew Close, Yarm, Stockton-on-Tees TS15 9TJ
	4 Church Road, Eggescliffe, Stockton-on-Tees TS16 9DQ

4 Foxton Close, Yarm, TS15 9RQ	7 Uldale Drive, Egglecliffe, TS16 9DW
4 Jasmine Fields, Kirklevington, Yarm, TS15 9JD	70 Forest Lane, Kirklevington, Yarm, TS15 9ND
4 Knaith Close, Yarm, Stockton-on-Tees TS15 9TL	74 Mount Leven Road, Yarm, Stockton-on-Tees TS15 9RJ
4 Troutsdale Close, Yarm, TS15 9UW	79 Davenport Road, Yarm, Stockton-on-Tees TS15 9TN
40 Forest Lane, Kirklevington, Stockton-on-Tees TS15 9NA	9 Carew Close, Yarm, TS15 9TJ
43 Glaisdale Road, Yarm, Stockton-on-Tees TS15 9RN	9 Glaisdale Road, Yarm, Stockton-on-Tees TS15 9RN
44 The Larun Beat, Yarm, Stockton-on-Tees TS15 9HR	9 Leven Road, Yarm, Stockton-on-Tees TS15 9EY
49 Knaith Close, Yarm, Stockton-on-Tees TS15 9TL	9 The Pines, Yarm, Stockton-on-Tees TS15 9EW
49 The Slayde, Yarm, TS15 9HZ	9 Troutsdale Close, Yarm, Stockton-on-Tees TS15 9UW
5 Ryedale Close, Yarm, Stockton-on-Tees TS15 9UN	Commondale House, 1A Countisbury Road, Norton, Stockton-on-Tees, TS20 1PY
51 Goose Pasture, Yarm, TS15 9EP	Field House Farm Worsall Road, Yarm, Stockton-on-Tees TS15 9EF
54 Mount Leven Road, Yarm, Stockton-on-Tees TS15 9RJ	Field View Mews Green Lane, Yarm, Stockton-on-Tees TS15 9EH
55 Forest Lane, Kirklevington, Yarm, TS15 9NE	Landside, Back Lane, Egglecliffe Village, Stockton-on-Tees, TS16 9BY
6 Staindale Close, Yarm, TS15 9RE	Meadowdene, Green Lane, Yarm, TS15 9EQ
6 The Green, Kirklevington, Stockton-on-Tees TS15 9NW	Paddock End, Green Lane, Yarm, TS15 9EQ
6 Westworth Close, Yarm, TS15 9SY	
60 Mount Leven Road, Yarm, Stockton-on-Tees TS15 9RJ	
7 Rudby Close, Yarm, Stockton-on-Tees TS15 9RS	

The main concerns raised were:-

- Development not suitable for area
- Loss of open space/ greenspace
- Scale/size of development
- Set precedent for further development
- Traffic or Highways
- Sufficient brown field land elsewhere in borough
- Surrounding roads and infrastructure unable to cope
- Negative visual impact of development
- Development on land available for farming reduces the security of future food supplies
- Back land development
- Close proximity
- Devaluation of property
- Effecting drains
- Loss of privacy
- Means of access
- Over development of site
- Residential Amenity
- Smell/fumes
- Impact of traffic from all proposed developments
- Overdevelopment of Yarm
- Greenfield site
- Destruction of wildlife habitats

Damage to Tees Heritage Park / Wildlife Corridor  
 Traffic survey must be carried out at peak times  
 Highway safety particularly for school children  
 Closing of the Strategic Gap between Yarm and Kirklevington  
 Misrepresentation of Council's strategic plan  
 Insufficient capacity at schools, health services and other facilities  
 Existing inadequate drainage system leading to flooding  
 Increased traffic congestion to unacceptable levels  
 Inadequate highway infrastructure  
 Car parking issues  
 Impact on character of Yarm  
 Lack of infrastructure  
 Overload existing infrastructure  
 Unbalance the development of Stockton  
 Health concerns  
 Premature before Council has decided on possible future housing sites  
 Traffic survey must be carried out for all developments.  
 Good Agricultural Land  
 Loss of small town character  
 Important greenbelt separating Yarm from neighbouring villages  
 Significantly understated traffic effects in Transport Assessment  
 Existing flooding issues due to water run off from surrounding fields  
 Existing bottleneck of traffic through Yarm High Street  
 Increased air pollution  
 Lack of amenities for development  
 No provision for the increased traffic from the development  
 Highway safety particularly for school children  
 Turning Yarm into a Ingleby Barwick housing estate  
 Inadequate amount of parking on Yarm High Street  
 Overload existing public services  
 Higher levels of pollution from vehicle emissions  
 Major road infrastructure improvements to accommodate the proposed development are unable to be carried out due to the geography of Yarm  
 There is no demand for housing  
 Population will not be able to afford these houses  
 Outside limits to development  
 In present economic climate public services will not be updated  
 Misrepresentation of Council's strategic plan  
 Detrimental impact on landscape  
 Danger to cyclists  
 Electricity must be provided for new developments – pylons are an eyesore  
 Affect special landscape area/area of high landscape value  
 Sewage capacity at its design limitation  
 Further development increases surface water run off  
 Development obstructs a vital wildlife corridor  
 Inadequate on street parking on the high street  
 Misrepresentation of Council's Sustainable Community Strategy  
 Damage of the historic heritage of the area  
 Location of the play area not in a safe area  
 Lack of pedestrian road safety measures proposed  
 Environmental assessment field work carried out at inadequate times  
 Ecological mitigation measures unquantified  
 Negative impact development will have on farming  
 The western part of the site is close to a high pressure gas pipeline

The development site is now identified as including a Romano British settlement and is a heritage asset of local and regional importance

Area will be overcrowded

Increase the risk of woodland fires

Increases length of school and work day

Detrimental affect on the beauty and tranquillity of the area

Improve Yarm School sporting facilities on current site

Exacerbate traffic bottlenecks of Yarm High Street and Yarm Station bridge

Residents will be forced to travel outside of Yarm for amenities and schools and other services

Housing requirement can be met by the number of empty homes in the borough

The following objection was also submitted by Kirklevington Action Group.

This group was formed following a public meeting held at Kirklevington Village Hall. The group has prepared this submission to SBC outlining its opposition to the Planning Application.

The principal objections are:

- The proposed development does not conform to the SBC Core Strategy 2010 and all associated previous plans
- The development will be in the Strategic Gap, in contravention of Policy CS10.
- The development does not conform to Spatial Strategy CS1 which encourages brownfield site development and discourages large development in rural areas.
- It will not protect and enhance the quantity and quality of open space, sport and recreational facilities in the Borough.
- Increased traffic from this and the approved Morley Carr development will cause cumulative problems on Green Lane, the junction of Forest Lane Kirklevington and the A67, and Yarm High Street. Increased traffic on Yarm High Street will damage air quality. "Planning should reduce pollution" NPPF Para 17.1
- The sewage from this site can only be fully accommodated if the development at Tall Trees (Planning Application 11/2293/VARY) is refused a connection to the existing Northumbrian Water Authority network (Information received from NWA 27/3/13. Since the existing Tall Trees the existing Tall Trees development is approved the approval of the Green Lane site would appear to cause a conflict of interest. Any development on the Green Lane site may depend on the time scale of development at Tall Trees.
- The development would not deliver housing in a way which would contribute to the 5 Year Housing Supply and does not conform to Policy CS7
- The development would not protect the Wildlife Corridor or the fluvial risk downstream, and should be directed away to areas of low flood risk and so contravenes policies CS10 and EN4
- The development is outside the limits of development and contravenes Policy EN13
- The application is premature.
- The economic benefit is overstated.

- The shortfall in the 5 year housing supply should not be the main factor in determining this application, but the policies in Core Strategy 2010 should be.
- The economic benefit is overstated
- The development would damage the coherence and structure of Kirklevington and Castleavington Parish and its relationship with Yarm
- SBC has a stated aim to have a fast, interlinked Metro system. The design of the rail network prevents Yarm Station from being part of a Metro system, so the railway station will not contribute to the sustainability of the development. Increased congestion in Yarm will adversely impact on the reliability of bus services.
- The developer has failed to describe the significance of heritage assets in Kirklevington and Castleavington Parish. This contravenes NPPF para 128. The developer has produced a desk based assessment which includes a 1658 enclosure map of Yarm which describes land North of Green Lane in Yarm Parish. The development site is south of Green Lane and is in Kirklevington Parish. The evidence is not robust and contravenes NPPF 128. The development would destroy an Iron Age/Roman settlement of local and national importance. The destruction of a heritage asset should be a material consideration when granting planning permission. Green Lane is possibly a Roman Road (ref Tees Archaeology) and an ancient boundary between Yarm and Kirklevington. This boundary is clearly defined on current OS maps
- The development site is productive farmland.

We wish to expand on sustainability as it relates to this proposed development. The NPPF defines sustainability as “ensuring that better lives for ourselves does not mean worse lives for future generations”.

The Core Strategy and all associated strategies are still valid and sound. This incorporates the Tees Valley Structure Plan and associated Regional plans and will stay valid until the Regeneration and Environmental Local Development Document is adopted and other policies are revoked

The proposed development does not satisfy the conditions laid down by planning policy and guidelines for sustainable development.

In a recent Planning Application Appeal at Coalville in the East Midlands the Secretary of State ruled that existing policies should be given most weight in determining planning applications and the emerging local plan (Core Strategy) only limited weight. The Application was rejected. For more details see Appendix 1.

#### Environmental sustainability

The following quotations are from the NPPF.

“The Strategic Gap should check unrestricted sprawl of large built-up areas” Para 80.

“ Planning positively for the creation, protection and enhancement of networks of biodiversity and green infrastructure” Para 100

“Authorities should plan for biodiversity at a landscape scale and across local authority boundaries, identify local ecological networks including local sites of importance for biodiversity, wild life corridors and stepping stones that connect them” Para 117

The proposed development will severely degrade the Wild Life corridor which goes across County boundaries and is part of the Green Infrastructure Plan 2004 as a strategic wild life corridor. In the previously mentioned Coalville appeal the Secretary of State highlighted the value of the Wildlife Corridor as part of the existing green infrastructure. (See Appendix 1)

The proposed site is within Kirklevington and Castleavington Civil Parish and not Yarm. It is a Rural area. “ Planning should take account of the different roles and character of different areas,

recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it” NPPF Para17.4

### Social Sustainability

SBC’s 5 year housing shortfall may have improved following planning permission being granted for approx. 1000 houses in the Yarm area. However, in the Coalville appeal it was ruled that the absence of a 5 year housing supply is NOT decisive in granting planning permission (Appendix 1).

“ Encouragement should be given to solutions which reduce congestion” NPPF para29. From Department of Transport data, 370 houses – the majority being 3+bedrooms- are likely to account for approx. 550 extra cars. These and the extra cars from the Morley Carr and Tall Trees developments will increase congestion on Green Lane, the A67, and Yarm High Street. Extra parking spaces at Yarm Station will not alleviate parking in Yarm High Street. An increase in slow moving traffic on Yarm High Street will cause an increase in harmful nitrogen dioxide levels.

### Economic Sustainability

Any large housing development in the Borough will be economically advantageous to the Council. However, the benefits to the local economy may be less clear cut. From an SBC survey, Yarm has an average of 3000visits per day, mostly by car. Most visitors come to shop. Each visit represents an average spend of £80. In 2011 it was estimated that 4-5% of visits result in the visitors being unable to park. The potential benefit to Yarm’s economy if parking was easier and therefore more visits were made is estimated at £12million per year. Increased traffic and more difficulty in parking are economic threats to Yarm business

### Appendix 1.

An application was submitted in Coalville by Wm Davis & Jelson Ltd to build 150 units on a site of more than 5 hectares. The Application was 10/01208/DTM. The application was rejected, taken to appeal and rejected.

The following judgements were made by the Secretary of State.

- Existing policies should be given most weight in determining planning applications and the emerging local plan (Core Strategy) only limited weight
- The absence of a 5 Year supply supports the case for allowing the appeal and granting planning permission, but it is not in my view decisive
- Green Wedge here has served and continues to serve a useful and much valued planning purpose and it should only be lost for very compelling land use planning reasons

### The following correspondence was submitted by the applicant’ s ecologist (E3 Ecology Limited) in response to Teesmouth Bird Club’s consultation response.

The survey work and assessments undertaken at Green Lane follow national standards and guidance, were undertaken to a high standard, and as a result there have been no objections on ecological grounds from Natural England, the Governments’ advisors on nature conservation, the Environment Agency, or the local Wildlife Trust. Three breeding bird surveys were undertaken, and this level of survey is typical for sites such as this which primarily support arable land of limited value for breeding and wintering birds. Although the breeding bird survey work started in May initial ecological surveys were undertaken in April and would have picked up any bird issues of particular conservation concern. Arable land is common and abundant in lowland England, and generally supports common and abundant bird species. Many of these bird species are of conservation concern, as highlighted by the ES, but this is due to substantial declines in

populations as a result of agricultural intensification, rather than habitat loss through development, as demonstrated by research by the RSPB and BTO. 1 2

Reporting used nationally recognised methods for assessing conservation value, and we used data from the UK BAP, the Teeside BAP, The Breeding Birds of Cleveland 2008 and records held by Environmental Record Information Centre for the North East in assessing conservation value. Survey methods and effort were employed in accordance with the accepted statutory guidance issued by Natural England, and non-statutory, but nationally recognised, guidance documents issued by the Joint Nature Conservation Committee and by the Institute of Ecology and Environmental Management. No evidence is provided that there was any under-assessment of bird numbers or species range, as the Teesmouth Bird Club data covers an area 40 times larger than the development site and land which contains a variety of habitats that are absent from the site. Small numbers of common farmland bird species were recorded breeding within the site, such as linnets, skylark, song thrush and yellow hammer, but the majority of territories were associated with the woodland and scrub habitats at the southern and eastern margins which will be retained.

The legal protection provided to birds is outlined in page 8 whilst the table on pages 24 and 25 of the Ecology Appendix of the ES identified UK BAP, red and amber list birds of conservation concern, annex 1 species and schedule 1 species. Birds are therefore clearly categorized by conservation concern. The ES clearly states that a small number of birds of open farmland would be negatively impacted, but that birds of woodland edge, scrub and wetland would increase in the medium to long term (K7.5).

The potential effect on off-site habitats had been addressed at a fundamental level during site masterplanning through the allocation and development of initial design proposals for areas of greenspace on the southern boundary. The detailed design of this area to minimise disturbance effects on the adjacent woodland can be readily delivered through planning condition.

The NPPF requires local planning to conserve and enhance the natural environment by minimising impacts on biodiversity, and providing net gains where possible (para 109). The site supports 19.75ha of arable fields representing only 0.15% of Stockton Borough's food producing land, a very common and abundant habitat which supports common bird species and is generally poor for wildlife. By primarily using arable land for the housing the requirements of NPPF to conserve biodiversity start to be met. Whilst much of the site will change to houses and gardens these can be very good for wildlife including red list bird species already present in the area such as starling, house sparrow and song thrush, but there will also be 3.75 ha of new parkland that will be specifically designed to benefit people and wildlife. The new Parkland design will enhance the woodland to the south, and include dense, thorny shrub planting to minimise off-site access, helping to meet the requirements of para 117 of the NPPF to promote ecological networks and priority species.

The site lies adjacent to a secondary corridor identified in the Stockton Borough's Green Infrastructure Strategy, P46, rather than in it. The Strategy aims to safeguard existing green infrastructure components, improve the quality and where appropriate the multi-functionality of the infrastructure and to create new high quality green infrastructure. From the plan it is clear that the secondary corridor lies to the south of the development area, and includes the woodland belts and fields north of Kirklevington. As such the development proposals will accord with the Green Infrastructure strategy as the existing assets are being retained and extended, whilst the provision of new footpaths will increase their multifunctionality in line with the strategy.

In conclusion, Teesmouth Bird Club has not based their assessment on the proposed development site, which is what we have done. They surveyed two tetrads – 8 square kilometres of land – to provide their data, an area 40 x bigger than this site, and over a 7 year period. As a result they have records of species that will not be using the development site, and will not be affected by the changes.

Stockton Borough Council can have confidence in the information that has been provided to them, and that the proposals accord with both National and local policies and guidance. A small number of pairs of common bird species would be lost through the proposals, but the design as a whole conserves and enhances biodiversity in line with the requirements of Para 118 of NPPF.

Tony Martin.



## **PLANNING POLICY**

104. 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

105 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

106. 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 NPPF also has a number of core planning principles including conserving and enhancing natural environment and conserving heritage assets.

### **Core Strategy Policy 1 (CS1) - The Spatial Strategy**

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.

2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

4. The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.

5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.

6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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

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

2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

4. Initiatives related to the improvement of public transport both within the Borough and within the Tees Valley sub-region will be promoted, including proposals for:

- i) The Tees Valley Metro;
- ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
- iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
- iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.

5. Improvements to the road network will be required, as follows:

- i) In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;
- ii) To the east of Billingham (the East Billingham Transport Corridor) to remove heavy goods vehicles from residential areas;
- iii) Across the Borough, to support regeneration proposals, including the Stockton Middlesbrough Initiative and to improve access within and beyond the City Region; and
- iv) To support sustainable development in Ingleby Barwick.

6. The Tees Valley Demand Management Framework will be supported through the restriction of long stay parking provision in town centres.

7. The retention of essential infrastructure that will facilitate sustainable passenger and freight movements by rail and water will be supported.

8. This transport strategy will be underpinned by partnership working with the Highways Agency, Network Rail, other public transport providers, the Port Authority, and neighbouring Local Authorities to improve accessibility within and beyond the Borough, to develop a sustainable

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

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.

2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.

3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.

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

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

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

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

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

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

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

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

## **Core Strategy Policy 6 (CS6) - Community Facilities**

1. Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.
2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.
3. The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.
4. Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.
5. Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

## **Core Strategy Policy 7 (CS7) - Housing Distribution and Phasing**

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:
  - i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
  - ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
  - iii) The priority accorded to the Core Area;
  - iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.
2. No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.
3. Areas where land will be allocated for housing in the period 2016 to 2021:  
Housing Sub Area Approximate number of dwellings (net)  
Core Area 500 - 700  
Stockton 300 - 400  
Billingham 50 - 100  
Yarm, Eaglescliffe and Preston 50 - 100
4. Areas where land will be allocated for housing in the period 2021 to 2024:  
Housing Sub Area Approximate number of dwellings (net)  
Core Area 450 - 550  
Stockton 100 - 200
5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.
6. Proposals for small sites will be assessed against the Plans spatial strategy.

7. There will be no site allocations in the rural parts of the Borough

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

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).

2. A more balanced mix of housing types will be required. In particular:

- \_ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
- \_ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
- \_ In the Core Area, the focus will be on town houses and other high density properties.

3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.

5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is provided. This must demonstrate that provision at the standard target would make the development economically unviable.

6. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.

7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.

9. The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a 'rural exception' site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.

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

11. Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development, are compatible with wider social and economic regeneration objectives, and are conveniently located for access to the University and local facilities.

12. The Borough's existing housing stock will be renovated and improved where it is sustainable and viable to do so and the surrounding residential environment will be enhanced.

13. In consultation with local communities, options will be considered for demolition and redevelopment of obsolete and unsustainable stock that does not meet local housing need and aspirations.

### **Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement**

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

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

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

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

ii) Green wedges within the conurbation, including:

- \_ River Tees Valley from Surtees Bridge, Stockton to Yarm;
- \_ Leven Valley between Yarm and Ingleby Barwick;
- \_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- \_ Stainsby Beck Valley, Thornaby;
- \_ Billingham Beck Valley;
- \_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

### **Core Strategy Policy 11 (CS11) - Planning Obligations**

1. All new development will be required to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements.

2. When seeking contributions, the priorities for the Borough are the provision of:

- \_ highways and transport infrastructure;
- \_ affordable housing;
- \_ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

### **Saved Policy EN4**

Development which is likely to have an adverse effect upon sites of nature conservation importance will only be permitted if:-

- (i) There is no alternative available site or practicable approach; and
- (ii) Any impact on the sites nature conservation value is kept to a minimum.

Where development is permitted the council will consider the use of conditions and/or planning obligations to provide appropriate compensatory measures.

### **Saved Policy EN13**

Development outside the limits to development may be permitted where:

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

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

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

### **MATERIAL PLANNING CONSIDERATIONS**

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

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

109. A significant material consideration is the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF provides that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." (Para 49).

110. The Council cannot demonstrate a 5 year supply of housing land. The Council has recognised that because of changing economic circumstances and the reductions in the public funding available to support regeneration schemes, the housing strategy in the adopted Core Strategy will not deliver the housing requirement for the Borough. Although the Council retains very strong regeneration aspirations, it is firmly committed to achieving the housing requirement for the Borough to 2029. For this reason the Council decided to undertake a review of housing options. This review encompasses the housing spatial strategy and the housing distribution and phasing policy as well as aspects of the housing mix and affordable housing provision policy. This process formally began with the Core Strategy Review of Housing - Issues and Options, public consultation held over a 12 week period in summer 2011.

111. The results of the Core Strategy Review of Housing have been incorporated into the Regeneration and Environment Local Development Document Preferred Options draft. This documented was formally consulted on over an 8 week period in summer/autumn 2012. The application site is identified as a part of a draft allocation. It is therefore, supported as such by professional officer opinion and can be accorded some weight but not full weight as it is still subject to examination with objections outstanding. However, this does not reduce in any way the weight that the Council attaches to any significant policy or environmental constraints that are relevant to these sites. The Council attaches great weight to ensuring that the process of site allocation is an open, transparent and participatory one which allows full opportunity for comment to the wider public and other stakeholders. The preferred options stage cannot therefore, be legitimately viewed merely as a precursor to an automatic subsequent confirmation or endorsement of any draft policy including any draft site allocation policy.

112. There is clearly a tension between the site being released for housing development now and the core principle in the NPPF that states that planning should be genuinely plan-led. However, recent decisions by the Secretary of State suggest that this principle is being accorded less weight than the need to demonstrate a five year supply of deliverable housing sites. This is not withstanding the fact that the Core Strategy Review is housing-delivery led and the Council is seeking to put in place a five year supply of deliverable housing sites as quickly as possible through a plan-led approach.

113. One of the NPPF core planning principles includes making every effort to 'identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.' The 1st bullet point of NPPF paragraph 47 states that to boost significantly the supply of housing local plans should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period'. As previously referenced the Council is not currently able to demonstrate a five year supply of



deliverable housing sites and the Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual deficit in the provision of affordable housing of 560 homes. It is a benefit of this application that it would contribute to the provision of market and affordable housing. This is not withstanding the Council's preference for addressing these issues through a plan-led approach.

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

115. Core Strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision, states that affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more. The proposals will result in 20% affordable housing and will therefore bring about significant socio-economic benefits.

116. Core Strategy Policy CS6 seeks to protect and enhance open space, sport and recreation facilities in the Borough. Policy CS6 is supported by the Open Space, Recreation and Landscaping SPD which provides guidance on standards for open space based on a PPG17 assessment of open spaces and built facilities in the Borough. The proposed development provides for on site recreational facilities for equipped play and 'kick about' areas and allotment provision is also made to the west of the site. The applicant has indicated that they will enter into a Section 106 Agreement to provide a £500k investment into improving the range of sports facilities and access at Conyers School.

117. Policy CS11 relates to planning obligations and sets out requirements for new development to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required and have agreed to contributions to fund off-site highway works and provide additional infrastructure to support sustainable links from the development to local facilities. Furthermore the applicant will agree to a Local Labour Agreement.

#### Landscape and Visual Impact

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

119. The Council's Landscape Architect has assessed the proposal and concludes that the housing development is now restricted to the western side of the railway that crosses the site from north to south. It allows for 370 no. dwellings and is broadly similar in landscape terms to the previous layout, in that while a change in the local landscape character would be noticeable due to the proposed development the predicted change would not be significant due to the limited extent of the views and the proximity of existing housing north of Green Lane.

120. The revised Illustrative master plan continues to allow for open space south of the housing development including footpath, planting and Sustainable Urban Drainage (SUDs) within an informal landscape. This open space feeds into the housing via new footpaths following existing hedge lines. Several smaller areas of open space are provided at the edges of the housing development as entrance features into the estate and as buffer space between the housing and Green Lane (B1264). This plan has also allowed for one larger area of open space for formal play just south and east of an extended Yarm Station Car park.

121. It is considered that whilst the development is outside of the limits to development for Yarm and within the Strategic Gap, the landscape mitigation offered would integrate the scheme into the local landscape and the proposed development would not have a significant impact on the landscape character of the area. Views of the development from the wider area are filtered by the intervening buildings and it should be noted that the Strategic Gap in this location extends some 1.3 km towards Kirklevington and the mature woodland south of the site provides a robust and defensible boundary between the proposed development and Kirklevington. It is considered therefore that the proposal would still preserve a strategic gap thereby preventing coalescence between settlements. Representations have been received in respect of a Secretary of State appeal decision in Coalville Leicestershire concerning development in the Green Wedge. However the material considerations relating to the characteristics and function of the Green Wedge are not comparable with this proposal and therefore cannot be used as a precedent for how this proposal should be determined.

#### The Impact upon the Privacy and Amenity of Neighbouring Residents.

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

123. It is considered that the proposal has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed.

124. A Design and Access statement accompanies the application, which provides some design principles and information on the proposed nature, form, scale and appearance of the development as a whole. A condition is imposed requiring the development to be carried out in broad accordance with this document to ensure that the dwellings, both individually and collectively, are in keeping with the location.

#### Ecology and Nature Conservation

125. The application is accompanied by a Phase 1 Habitat survey which confirms that the development area comprises a predominantly poor quality mosaic of low value habitats, supporting a limited assemblage of common farmland and urban fringe bird and mammal species. While localised short term impacts are anticipated with effects predicted to be of greatest significance with regard to the short-term loss of habitat likely to be used by small numbers of nesting and foraging birds of locally common species, no other protected species have been recorded. Enhancement works will aim to promote native fruit-rich and additional landscaping including areas of species rich grassland and a number of ponds will provide for new foraging opportunities for a variety of species and will consolidate and enhance the net ecological value of the site and result in a net gain in biodiversity provision.

126. The site is adjacent to, but not located within, the site of local nature conservation importance which relates to the woodland to the south of the site, this area will be retained and the implementation of the proposed area of open space also provides a buffer. No harm as a result of the proposed development has been identified.

127. Teesmouth Bird Club have commented in relation to the loss of farmland habitat and the value of the site to wintering and breeding birds. It is considered that the mitigation measures proposed will provide a variety of habitats including woodland edge, hedgerow, species rich grassland and scrub. The measures proposed will result in a net gain of ecological value on the site, with the consolidation of existing features such as hedgerow and mature trees providing valuable habitats and furthermore that this will provide a "habitat buffer" between new development and the existing woodlands which should serve to prevent the indirect pressures of the development.

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

### Other Issues

129. In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies the site falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. The area of land surrounding Saltergill Beck to the south of the site is designated as Flood Zone 3. In accordance with representations received from the Environment Agency and the conclusions drawn from the submitted FRA no part of any planned dwelling is situated within any area designated as Flood Zone 3.

125. In relation to the management of surface and foul water arising from the development, Sustainable Urban Drainage Systems (SUDS) are to be provided within the open space area to the south of the development which will ensure that the development will not increase the probability of flooding elsewhere as a result of the increase in the impermeable area. The drainage strategy for the site will be agreed with Northumbrian Water and secured by means of a planning condition. The Environment Agency has no objection to the proposal subject to appropriate controlling conditions.

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

127. A detailed Air Quality Assessment and Noise Impact Assessment were submitted along with the application and the Environmental Health Manager has considered the proposal and raises no objection on these matters.

128. In respect of archaeology, the assessment has concluded that the proposed development will have no effect on any designated heritage assets or any undesignated heritage assets of national archaeological importance. There is no evidence of previously unidentified heritage assets of national importance within the proposed development area. Tees Archaeology has considered the application and recommends that archaeological monitoring takes place on the potentially sensitive archaeological areas of the development and this is secured by a planning condition. The Council's Historic Buildings Officer has also considered the proposal and concluded that the site is a Greenfield site with no designated heritage assets within the application site. The nearest designated heritage asset is Kirklevington Grange, a grade II listed building. The main considerations relating to heritage on the site therefore relate to the potential for underground archaeology, which has been appropriately considered within the submitted environmental statement. The applicant has submitted information to identify the heritage assets that may be affected by the development and has described their significance. In addition the relevant HER has been consulted. Due to the nature of the development and the significant separation distances,

dividing railway line and significant tree planting separating the site from neighbouring heritage assets it is not considered that the proposal will impact on both the designated and undesignated heritage assets Kirklevington Grange or Kirklevington Hall. For clarification Kirklevington Hall (now Judges Hotel) is not a listed building however it is arguably a heritage asset. It is considered that the level of information submitted therefore is sufficient for full consideration to be given to the impact of the proposal on heritage assets and is reflective of the potential of the scheme to affect heritage assets on and in the vicinity of the site. It is therefore considered that the applicant has met the requirements of the NPPF. For the reasons outlined above it is not considered that the application will adversely affect the significance of any heritage assets within the vicinity.

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

130. 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'.

131. The NPPF defines the best and most versatile agricultural land as being Grades 1, 2 and 3a. The majority of the application site is in agricultural use on land which is classified as grade 3b and will not therefore lead to the loss of land of the highest agricultural quality. Whilst the proposed development would result in the loss of agricultural land from production the loss is not considered to be significant enough to warrant refusal on this ground alone. Furthermore after completion of the development the scheme will incorporate around 8 hectares of open space, either formally or informally laid out.

#### Means of Access, Parking and Traffic Issues

132. The application is accompanied by a Transport Assessment in order to satisfy the Local Planning Authority that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

133. The Head of Technical Services has assessed the proposal and his detailed comments are set out in full in the consultation section of this report.

134. The revised development proposals have been incorporated into the micro-simulation transport model to review the impact of 370 dwellings on the site. The transport modelling provides Technical Services with a more informed response regarding the impact of the development on the wider network, rather than reviewing each junction in isolation as undertaken in the TA.

135. With 370 houses, the greatest journey time increase in the morning peak is on Worsall Road when the journey time between Allerton Balk to The Spital increases by 01:16 minutes from a base of 07:09 minutes to 08:26 minutes. Journey times northbound through Yarm on the A67 increase by 01:13 minutes from a base of 09:00 minutes to 10:13 minutes. Acknowledging that the base journey times confirm the network is congested in the morning peak as traffic is travelling slowly through the network; a 1 minute increase does not indicate a significant increase and is within the levels of traffic fluctuation that you would expect on a daily basis. In the evening peak, journey time increases are of a similar magnitude with the greatest journey time increase being on Green Lane eastbound where the journey time between Allerton Balk and Glaisdale Road would increase by 01:32 minutes.

136. At the Green Lane / A67 roundabout the queue length, with mitigation, is seen to decrease on all arms of the junction during the morning peak, with the exception of Green Lane eastbound. An additional 14 vehicles are anticipated to queue on this arm of the junction during the morning peak. During the evening peak, the queue lengths stay the same or decrease on all arms of the junction except the A67 southbound where an additional 6 vehicles are forecast to queue.

137. Queues increase at the signalised junction over the railway line on Green Lane, the greatest increase being during the evening peak when an additional 31 vehicles are expected to queue at this junction. The outputs from the model show that this queue can be accommodated and clears without blocking back to the roundabout or hindering the operation of the side road junctions.

138. The results from the micro-simulation model show that, with mitigation at the Green Lane / A67 roundabout, the development would only marginally increase journey times through the network. Queue lengths increase but the model outputs show that the network operates sufficiently. There is therefore, no evidence to object to the development on highway capacity grounds as a 1 minute journey time increase is not considered to be a significant adverse impact.

139. The impact of this development on the local highway network has been assessed and is shown to be acceptable subject to mitigation including an extension to Yarm Station car park for an additional 43 car parking spaces, increasing the current car park from 45 to 88 spaces.

140. Other mitigation includes for the provision of a long-stay public car park in Yarm or an alternative financial contribution towards a Local Authority operated public car park to serve Yarm High Street.

141. Other off-site works required include pedestrian and cycle connections, two new access junctions into the site from Green Lane; junction improvements at the A67 / Green Lane roundabout junction; junction improvements at the A67 / Worsall Road junction; junction improvements at the A67 / Crathorne Interchange junction; speed reduction works to reduce the speed limit on Green Lane from 40 mph to 30 mph and to include street lighting and signing; new footways, dropped kerbs and tactile paving at both new junctions providing access into the site from Green Lane to connect the development to the existing pedestrian network; and improvements to the pedestrian crossing to the west of Davenport Road.

142. Contributions are also sought for the introduction of a Traffic Regulation Order (TRO) on Green Lane to reduce the speed limit from 40 mph to 30 mph; and to prevent vehicles parking around the site accesses and railway station entrance and for the provision of an off road (lay-by) bus stop and shelter on Green Lane;

143. As part of the proposed extension to the car park at the rail station the existing electric charging points (there are two points at this location) would be replaced and upgraded to increase provision and charging capacity – double point chargers (4 no. total charging points) plus an additional rapid charger. As part of the operational requirements of the proposed off-street car park in Yarm 2 no. double Electric Vehicle Charging Point chargers (4 no. total charging points) should be provided by the applicant.

144. A Travel plan is also proposed which includes the appointment of a Travel Plan Coordinator (TPC) at the marketing stage of the development and the Travel Plan will must amongst other measures/targets include the provision of a £100 travel plan incentive per dwelling (£37,000).

145. The results of the initial assessment of the development in the YIBAM showed that the South West Yarm development traffic would have minimal impact on the highway network in Ingleby Barwick. This was largely because the package of committed highway works on the western side of Ingleby Barwick provided sufficient capacity to accommodate the development traffic that was travelling through Ingleby Barwick.

146. In April Tesco announced that it was no longer pursuing an extension to its store in Ingleby Barwick, which would have contributed significant funding towards road improvements in Ingleby Barwick which provided additional capacity on Ingleby Way and Myton Way (known as the Ingleby Barwick 'western improvements').

147. The delivery of these improvements would create highway capacity and the South West Yarm development would therefore benefit from these improvements. However, given the withdrawal of the Tesco funding for improvements to Ingleby Way and the Tesco roundabout, there was a risk that there would not be capacity on the network on the west side of Ingleby Barwick to accommodate the development traffic. It has therefore been necessary to re-test the impact of the South West Yarm development to see if the development traffic can be accommodated without the full package of west side improvements. The committed base model has therefore been updated to remove the highway improvements associated with the Tesco extension.

148. The results demonstrate that without the improvements, the journey time increases by up to 10% on a number of routes. This increase indicates that the development has a material impact on routes through the west side of Ingleby Barwick and this impact should be mitigated.

149. It is therefore the priority of the Highway Authority to pursue the implementation of the improvements that would have been delivered by the Tesco extension planning approval to provide the capacity to accommodate new trips on the network. Funding to complete the west side improvements will therefore continue to be sought from any planning application that has an adverse highway impact on the west side of Ingleby Barwick. Such contributions will be sought on a pro-rata basis from each development and calculated on the proportionate impact that each development has on the west side of Ingleby Barwick. On this basis, the maximum impact of this development on journey times on the west side of Ingleby Barwick is 10%. The removal of the Tesco funding leaves a £1.17m contribution outstanding; 10% of this equates to £117,000. This contribution is the subject of a S106 Agreement.

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

#### Environmental Statement.

151. 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.

152. 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**

153. 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, the development is an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan.

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

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

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

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

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

#### **WARD AND WARD COUNCILLORS**

**Ward Yarm  
Ward Councillor Councillor A B L Sherris**

**Ward Yarm  
Ward Councillor Councillor Mark Chatburn**

**Ward Yarm  
Ward Councillor Councillor Ben Houchen**

#### **IMPLICATIONS**

**Financial Implications:**  
As Report

**Environmental Implications:**  
As Report

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

**Community Safety Implications:**

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

**Background Papers**

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document : Open Space, Recreation and Landscaping

Supplementary Planning Document 6 : Planning Obligations