

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

11th SEPTEMBER 2013

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

13/1057/FUL

Blenheim House, Trenchard Avenue, Thornaby

Application for erection of a two storey apartment building housing 15 apartment units with supporting ancillary accommodation and erection of 13 bungalows. The 15 apartment unit is dedicated to provide needs for learning disabilities with the 13 bungalows reserved for elderly and learning disability accommodation. Demolition of existing Blenheim House and surrounding buildings within application site.

Expiry Date: 8 August 2013

SUMMARY

Planning permission is sought for the redevelopment of the Blenheim House site in Thornaby and some adjoining bungalows as well as the development of a small area of existing open space. The scheme would result in the demolition of Blenheim House and the bungalows and would replace them with a new apartment block providing 15 units and a further 13 bungalows. The accommodation is intended to provide accommodation for persons with learning difficulties and the elderly.

Several objections have been raised in respect to the scheme, mainly in respect to the development on the existing open space and also on the potential impacts of the development such as privacy and amenity.

The Head of Technical Services has raised no objections to the proposals subject to the imposition of controlling conditions whilst the Head of Housing has highlighted the need for this type of accommodation and detailed their support for the scheme.

The proposed development is considered to be of a scale and appearance suitable for the area, provides adequate access and parking to serve the scheme and allows for informal and formal landscaping throughout. The scheme has been amended slightly to reduce the impact on the closest residents and it is considered that adequate privacy and amenity will be provided for both existing and future residents. The proposal requires the development of a small area of open space, which while being contrary to planning policy, is considered acceptable in this instance given the weight that must be attributed to the significant need for the type of accommodation that is being proposed and taking into account the area of open space has a limited function and there is a large area of amenity open space to the north of the site.

RECOMMENDATION

That planning application 13/1057/FUL be approved subject to the following conditions and informative;

- 01 **The development hereby approved shall be in accordance with the following approved plans;**

Plan Reference Number	Date on Plan
SBC0001	1 May 2013
3369/P/04	2 May 2013
3369/P/06	2 May 2013
3369/P/09	9 May 2013
3369/30/01b	29 th August 2013
3369/30/02a	29 th August 2013
3369/30/03e	29 th August 2013

Reason: To define the consent.

02. **10% Renewables**
Unless agreed in writing by the local Planning Authority as making the scheme unviable, prior to the above ground commencement of any of the development hereby approved, a written scheme shall be submitted to and approved in writing by the local planning authority which details 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 the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superseding guidance. Before the development is occupied the approved scheme of reduction shall have been implemented on site and brought into use where appropriate. The scheme shall provide only for the increased units beyond those that already exist on site. The approved scheme shall be maintained in perpetuity thereafter.

Reason: In the interests of promoting sustainable development in accordance with the requirements of Stockton on Tees Core Strategy Policy CS3(5) Sustainable living and climate change.

03. **Code Construction**
Unless a viability statement has been submitted to and agreed in writing by the local Planning Authority indicating that the development is unviable if built to Level 4 of the Code for sustainable homes, a number of properties shall be built to achieve a minimum of Code Level 4 of the Code for Sustainable Homes or any other equivalent Building Regulation rating at the time of construction as first agreed in writing with the Local Planning Authority before development commences and implemented in accordance with the approved details. The number of properties shall first be agreed in writing with the Local Planning Authority prior to commencement of development on site and shall take into account the extent of existing properties on site.

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

04. **Landscaping Hardworks**
Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no hard landscaping works (excluding base course for access roads and car park) shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, and all

construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details.

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

05. Existing and Proposed Levels

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans prior to the commencement 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 proposed mounding and or earth retention measures (including calculations where such features support the adopted highway) shall be submitted to and approved in writing by the LPA. Development shall be carried out in accordance with the approved details. Attention should be given to existing vegetation and surrounding landform.

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 of the area, the living conditions of nearby residents or integrity of existing natural features and habitats.

06. Enclosure

Notwithstanding the details hereby approved, prior to the occupation of the development, details of the boundary enclosures for the site shall have first been submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

07. Landscaping Softworks

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to the commencement of soft landscaping works full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority. This will include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following: commencement of the development or agreed phases or prior to the occupation of any part of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

08. Tree Protection

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans no development shall commence until a scheme for the protection of trees BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) - Operatives Handbook 19th November 2007 has been submitted to and approved in writing by the Local Planning Authority. 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.

09. *Soft Landscaping - Maintenance*

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans a soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or approved phases.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development 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.

10. *Construction Management Plan*

The construction phase of the development hereby approved shall be undertaken in accordance with a Construction Management Plan (CMP) which has first been submitted to and approved in writing by the Local Planning Authority. The CMP shall detail HGV Routes and trip profiles, staff parking areas during construction and any mitigation measures required.

Reason: In order to limit the impacts of construction activities for surrounding residents and the use of the surrounding area in general.

11. *Construction Noise*

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To protect the amenity of the occupants of nearby properties.

12. *Unexpected land contamination*

In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

Reason: To ensure the proper restoration of the site and to accord with guidance contained within Stockton on Tees Core Strategy Policy 10 (CS10) – Environmental protection and enhancement.

13. *Site Waste management Plans*

No development hereby approved shall commence on site until a site waste management plan 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 the development shall be undertaken 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 (CS3-9) - Sustainable Living and Climate Change.

14. *Affordable Housing*

Prior to the occupation of any dwellings on the site, a scheme of affordable housing shall be submitted to and approved in writing by the local planning authority detailing the provision of 5 affordable dwellings. The scheme shall detail the following,

- i) the precise units which will provide the affordable housing;
- ii) the arrangements the developer shall make to ensure that such provision is affordable for both initial and successive occupiers;
- iii) Occupancy criteria and nomination rights in relation to identified housing need.

The development hereby approved shall be occupied in accordance with the approved scheme of affordable housing.

Reason: To ensure the provision of affordable housing on the site in accordance with Stockton on Tees Core Strategy Policy 8 (CS8) - Housing mix and affordable housing provision.

15. *Cycle Parking*

The development hereby approved shall not be occupied until a scheme of cycle parking (3 spaces) has been implemented on site in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure an adequate level of provision for future users / visitors to the site in accordance with the requirements of Core Strategy Development Plan Policy CS2 (3)

16. *Access Arrangements*

The access hereby approved shall be constructed in precise accordance with design details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with saved Policies HO3 of the Stockton on Tees Local Plan.

17. *Provision of footway*

Notwithstanding the details hereby approved, prior to any occupation on the site, there shall be a footway provided to both sides of the main internal highway in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To adequately provide for pedestrian movement within the site.

18. *Turning head*

The turning head shall be constructed in accordance with details to be first submitted to and approved in writing with the Local Planning Authority.

Reason: To ensure adequate provision is made for traffic movements.

19. *Lighting Scheme*

No development hereby approved shall be commenced on site until a scheme of external lighting has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall detail the position, type, direction and intensity of the lighting being proposed. The development shall be undertaken in accordance with the approved scheme and there shall be no occupation of properties until lighting for that phase of development has been made operational in accordance with the agreed scheme.

Reason: In order to provide a safe environment.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: National Planning Policy Framework

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

Informative 2: Construction of highways for new developments

The works require alterations or extensions to the existing adopted highway.

Where a development involves works requiring either improvement or alteration to the existing highway, the Developer may be required to enter into an agreement with the Council as Highway Authority under Section 278 of the Highways Act 1980. This requirement often occurs as a condition on the grant of planning permission.

As part of the new Development you may wish the Council to adopt highways (including carriageways, footways, verges, cycleways, highway drainage and street lighting) which would then be maintainable at public expense. In order to achieve this you would be required to enter into an agreement with the Council as Highway Authority under Section 38 of the Highways Act 1980.

The Council would only consider adoption provided any highways are designed and constructed in accordance with the 'Design Guide and Specification for Residential and Industrial Estates' which can be downloaded from the Stockton Council website at the following link:- www.stockton.gov.uk/urbandesign/designguide/

It is important for Developers to appreciate that obtaining a planning consent does not imply that a layout is suitable for adoption or give permission to work on an adopted Highway.

It is recommended that the Council is consulted about any of the above at an early stage as the Council are unlikely to adopt the highway without the Developer entering into a Bond with the Council for inspecting the construction and short term maintenance of the proposed highway at regular intervals.

If you require any further information please do not hesitate to contact:

Highway Asset Manager
Highway Network Management
Stockton-on-Tees Borough Council
Technical Services
PO Box 229
Kingsway House
Billingham, TS23 2YL
Telephone: (01642) 526739
Fax Number: (01642) 361690
Email: technicalservices@stockton.gov.uk

Informative 3: Damage to Highway Verge

The developer is reminded that it is an offence to cause damage to the Highway or to deposit any item on the Highway that causes a nuisance or danger. Any damage to the Highway caused by the development must be repaired at the developer's expense. The Highway Authority will seek, wherever possible, to recover any expenses incurred repairing the Highway surfaces and prosecute persistent offenders. (Highways Act 1980 sections 131, 148, 149).

The developer should contact the Care For Your Area Highway technicians prior to any works on site to arrange an inspection of the Highway surfaces fronting the development.

Informative 4: Northern Gas Networks – Contact

Northern Gas Networks have advised that there may be gas apparatus in the area and that the developer contact them to discuss this. Contact details given are as follows;
Sandra Collett
Network Records Assistant

BACKGROUND

Planning history of relevance is detailed below;

1. 06/2372/LA
Erection of 2.1m high and 1.5m high galvanised steel solid round bar fencing coated in dark green colour fencing and 1.5m high gates.
Approved. 14th September 2006
2. 00.8.5.812
Tree Preservation Order 8.12
Confirmed.
3. The Council procured a partner for the site in order to make a bid to the Dept. of Health (Specialist Care Fund) for the funding of the scheme in order to deliver accommodation for older people and people with learning disability. This application is the result of that process.

SITE AND SURROUNDINGS

4. The Blenheim House site is located off Trenchard Avenue, a main Road into Thornaby Centre. There is an existing access onto Trenchard Avenue. The application site is currently made up of three distinct areas, open space out-with the existing Blenheim House site, the area on which Blenheim House and its associated grounds sit and a small group of bungalows to the southern part of the site accessed off Sherwood Road.
5. The existing Blenheim House is a relatively small scale 2 storey building and which has a perimeter fence separating it from the other parts of the application site and wider area. A 3 storey block of apartments lies to the north of the site whilst 2 storey housing lies to the south and west. Housing lies on the opposing side of Trenchard Avenue. There are two large trees within the rear part of the site which are subject of a Tree Preservation Order and an existing public footpath currently separates the Blenheim House site from the adjacent open space.

PROPOSAL

6. Planning permission is sought for the redevelopment of the site of the currently closed Blenheim House care facility in Thornaby. The proposed redevelopment of the site seeks permission for the erection of a two storey apartment block to provide 15 units of supported accommodation for persons with learning difficulties and 13 bungalows which would be reserved by the applicant to accommodate the elderly and those with learning disabilities.
7. The site is laid out having the apartment block being provided with a vehicle access off Sherwood Road and the bungalows being served off a repositioned access off Trenchard Avenue. Three of the bungalows are positioned on an existing area of open space to the North West corner of the site.
8. The apartment block is a linear 2 storey block whilst the bungalows are a mix of detached, semi-detached and terraced single storey properties. Each bungalow is

provided with parking as well as front and rear gardens whilst the apartment block is provided with an area of parking / service area and communal gardens.

CONSULTATIONS

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

Councillor Sylvia Walmsley

I have concerns regarding the 3 bungalows on green space land and ideally would like them removed from the development.

I also have concerns regarding to proximity of the 2 storey part of the apartment block to the nearest properties on Selwood Close; a solution to this would be to "flip" the building round so that the single storey part becomes nearest to properties and the double storey part fronts onto Trenchard Ave.

Existing trees need to be protected wherever possible and new trees planted if not.

Existing footpaths need to be retained.

Street lighting needs to be designed to improve the whole area.

Perimeter fencing needs clarification.

I trust you will take these concerns back to the Developer.

Notwithstanding the above, I confirm my support for this high quality development of a derelict site.

Councillor Derrick Brown

Support the planning application although would like further investigation with regards to building on the green space.

Councillor Mick Moore

I wish to support planning application 13/1057/FUL. The development will enhance the area and create a modern up to date residential site.

Head of Technical Services

Highways Comments

These comments relate to the revised site layout plan - drawing number 3369/03 REV D.

Access

Blenheim House is currently accessed via Trenchard Avenue. The proposed site plan shows that the existing access from Trenchard Avenue into the site would be closed and a new access would be located alongside the north-eastern boundary of the site.

The location of the proposed new access into the site affects the existing bus lay-by on Trenchard Avenue. It was advised at the outset that relocating the lay-by and shelter would be costly and issues regarding the re-siting of the shelter could present a risk to the project. It was suggested that revising the site layout plan could deliver an access whilst maintaining the bus stop in its current location.

Following a number of discussions, a revised site plan (Rev D) has been submitted that shows the proposed new access could be delivered with only a minor impact on the bus stop entry splay. This proposal has been reviewed by SBC highway engineers and it is suggested that minor alterations could be made to this design to make it acceptable. It is therefore considered that on this occasion the Head of Technical Services accepts that a solution can be achieved that should have minimum impact on existing users of the highway and the operation of the bus stop. This conclusion is based on the site specific factors, including:

The access would only serve the bungalows (13 units) which should generate very few vehicular trips on a daily basis;

The reuse of the existing access, whilst feasible, results in excessive turning manoeuvres;

The tracking operations for refuse vehicles using the new access are acceptable;

The alternative option would be to relocate the bus lay-by which would be expensive and could result in local objections. Relocating the bus stop would require the shelter to be moved away from its current location at a gable end to a location which would be viewed from windows of habitable rooms in existing houses that lie in close proximity to the existing bus stop;

Furthermore, any relocation of a bus stop would require approval from operators, ward members and on this occasion Ad-Shell (the owners of the shelter). Such approval may not be granted and therefore any alterations to the bus lay-by would present a serious risk to the project; and

An option was discussed regarding the removal of the lay-by to allow buses to pick up from the highway but this option was not favoured by the bus operators.

Therefore, given the anticipated low use of the access, the proposals are on this occasion considered to be acceptable. The detailed access design would be agreed as part of a Section 278 Agreement with the Highway Authority.

In line with previous comments, a footway should be provided on both sides of the proposed vehicle access to provide a continuous pedestrian connection from the public highway into the site. Planting within the visibility splay of the vehicle access must be maintained below 600mm to ensure it does not obstruct visibility.

The turning head at the north of the site is shown to overrun the site boundary and the plan should be amended.

The applicant has advised that it is their intention to seek adoption of the access road and the road would therefore be used by refuse collection vehicles. As such, sufficient space should be provided to allow vehicles to turn and exit the site in forward gear. If the road parallel to Trenchard Avenue is to remain private then residents in the bungalows would have to place their bins onto the adopted highway for collection.

There is no landscaping on part of the south-eastern boundary that forms the turning head with 2m high metal railings proposed. There is therefore some concern that in the future residents may try and gain access direct from Trenchard Avenue by removing the railings. As noted in the landscaping comments, the enclosure at the front of the site should be a solid boundary to enclose the site.

Access into the apartments would be via Sherwood Road and the access road has been located on the inside of the bend so visibility on exiting the site should be sufficient. A footway is provided from Sherwood Road into the site. Details are required regarding how the apartments would be serviced. Matters regarding

adoption or the roads being private and refuse collection as noted above would apply also here.

The construction of the proposed development would require the stopping up of the footway that connects Selwood Close with Shackleton Close. The applicant should contact the Highway Asset Manager (technicalservices@stockto.gov.uk) about stopping up the highway or agreeing a diversion of the route either as temporary works associated with the construction or permanent changes. This will ensure all necessary legal procedures for any diversions are implemented.

If the development was approved, the applicant would need to enter into a Section 38 Agreement for the highway and footpaths which are to become highway maintainable at the public expense.

Car Parking

All developments should be designed and constructed in accordance with SPD3: Parking Provision for Developments 2011. In accordance with these standards, social rented dwellings should provide at least one incurtilage parking space and sufficient space should be provided to allow the construction of a second parking space if the tenure of the social rented properties changes in the future.

All bungalows have incurtilage parking – nine of the bungalows have covered canopies allowing sheltered access from the car to the property. These proposals are acceptable. Eight visitor spaces are provided to the bungalows in addition to the designated parking bay for each bungalow.

The apartment building would offer supported accommodation to residents with learning disabilities. A total of 8 parking spaces are proposed. There are no specific Council standards for residential accommodation for those with learning disabilities. However the Council's standards for sheltered housing and extra care housing both require:

- 1 space per warden;
- 1 space per 3 units
- 1 space for ambulances; and
- 1 space per 6 units for visitors.

The staffing details for the 15 apartments have not been provided. Based on the parking standards, the 15 apartments would require 5 spaces for residents and 3 spaces would be required for visitors; a total of 8 spaces. This leaves no available space for staff and ambulances. There is however sufficient space within the parking area to accommodate an ambulance loading / unloading. Given that there could be an under-provision of on-site parking bays it must be the responsibility of the management to ensure staff parking is managed to ensure parking is available within the site for residents and their visitors. Cycle parking provision should also be provided. This could either be located within the buggy store in the building or within a covered area close to the main entrance. In accordance with the standards space for at least 3 bicycles should be provided (1 per 6 units).

Construction

A Construction Management Plan should be agreed prior to construction commencing on the site and include:

- Access proposals (including HGV routes) and HGV trip profile;
- Details of staff parking proposals during construction;
- Hours of construction; and
- Appropriate mitigation measures.

The implementation and approval of the final Construction Management Plan should be conditioned should the development be approved in order to ensure the impact on the highway is minimised.

Landscape & Visual Comments

The following comments are made regarding the revised layout on plan ref 3369/10/03 Rev D.

For the existing trees the plan annotation reads 'existing trees to be removed' this is incorrect as it appears from the drawing that the southern most existing tree is to be retained as requested in the previous memo. The tree that is to be retained must be labelled as such and relevant tree protection information conditioned as per the previous memo.

The enclosure at the front of the site should be a solid boundary such as a brick wall with timber in-fills to define and enclose the site.

All the conditions listed as part of the previous memo still apply to this development.

Landscaping Hard works

Existing and Proposed Levels

Enclosure

Landscaping Soft works

Tree Protection

Soft Landscaping - Maintenance

Environmental Health Unit

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

Construction Noise

Unexpected land contamination

Site Waste management Plans

Northern Gas Networks

No objections although advise there may be apparatus within the area which may be at risk during construction and therefore recommend the developer contact them.

Northumbrian Water Limited

Our requirement to restrict surface water is include in Flood Risk Assessment.

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 that at this stage we would have no comments to make.

Private Sector Housing

The Private Sector Housing Divisions has no comments or objections to make on this application but would suggest that our colleagues in Housing Strategy are consulted on the application.

The Environment Agency

This proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee. We therefore we have no comments to make on this application.

Head of Housing

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 planning application the 28 unit development consists of 100% affordable housing for rent. The delivery of affordable housing at this level is acceptable, and exceeds Council policy.

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.

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.

In addition to the SHMA 2012, recent research conducted by the Councils Children, Education and Social Care directorate has identified that there are an estimated 3,553 adults with learning disabilities resident in Stockton-On-Tees, of these 655 have moderate/severe learning disabilities and 54 have profound multiple learning disabilities. At present 152 adults with learning disabilities live in residential care. Over two hundred adults with a learning disability with a housing need have been assessed as being able to live independently with support. There is no accommodation of the type proposed in this application currently available or planned in Stockton. As stated above, recent research identified over two hundred people with a learning disability with a housing need who could be supported to live independently, of these over fifty are classed as a high priority.

Housing Services fully supports this development as it will assist in addressing the identified affordable and supported housings need across the borough.

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

PUBLICITY

10. Neighbours were notified and 10 letters were received. 6 of objection, 3 of support and 1 indicating no objection to the scheme. Comments received are summarised below :-

Mary Carrolle, 18 Sherwood Road Thornaby
No objection.

Mr James Hedley, 15 Shackleton Close Thornaby

A good site layout very pleased a derelict building site is been put to good use

Mr Barry Rollinson, 11 Forest Mews Thornaby

Have no objection to the scheme other than to the construction of two bungalows on land on existing green open space behind Blenheim House. This area is unique and it must be kept for the community. There is a problem with subsidence to buildings and the clay soil is very poor.

Mrs A Oram, 4 Forest Mews Thornaby

The scheme would result in the loss of a huge part of our green open space and I therefore object as this area is part of the beauty of the area. It is hoped that street lighting will be provided for this area.

Miss G Brown, 2 Forest Mews Thornaby

Support.

Mrs M D Duncan, 8 Selwood Close Thornaby

Access and exit for existing residents which back onto the site is essential as well as access for window cleaners, workers and their equipment when involved in maintenance of the rear gardens and existing fences.

Lack of privacy to the rear of the house and garden. Object strongly to proximity of car parking adjacent to back fence.

Concerned about noise, dirt and disturbance that the proposed development will create.

K And K Sirell, 6 Sherwood Road Thornaby

Support.

Fred Peterson, 10 Forest Mews Thornaby

Objects to the green space being built on.

Mr and Mrs K and E Craggs, 1 Forest Mews Thornaby

Have no objection to the scheme other than to the construction of two bungalows on land on existing green open space behind Blenheim House as this part of Thornaby is unique in its undulating green open space, spread across a wide area with its pathways which give the environment in which we live and the wider community a beautiful setting. There is no other development like Forest Mews within the Tees valley area and we cannot lose it.

Committee should consider that the land on this part of development on the Airfield is marsh and the soil (clay) is very poor. Flooding is a major occurrence in the Middlefield Estate and a report has been produced by Stockton Borough Council previously.

The green space where the bungalows are being proposed has suffered subsidence in the past and has created damage to buildings. Nine large trees had to be removed on the adjacent new housing development which was done without permission and the developer was fined by Stockton Borough Council. The house next door to the proposed bungalows on the green space had major subsidence which took a lot of time and money to put right.

Mrs Julie Thompson, 18 Shackleton Close, Thornaby

I wish to object to the planned building of two bungalows adjacent to my home as part of Blenheim House development. My home has in the past had to be underpinned at extensive costs and great inconvenience having to move out for two months and I seek assurances that further disturbance of this area will not create additional movements in the surrounding area. My second objection is to the revised plans which show a two metre fence to be erected that would run the full side of my property, this would create an alleyway not only affecting my privacy as my fence is not solid it would also be far easier for undesirables to climb my fence without being noticed. I have no objection to the rest of the development.

PLANNING POLICY

11. 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
12. 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
13. 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.

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.

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

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

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
2. 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.
3. 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.
4. 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.
5. 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.
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 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. Proposals for small sites will be assessed against the Plans spatial strategy.

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.

10. The Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy.

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

8. 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.

9. 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.

Stockton on Tees Local Plan - Saved Policy HO3

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

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

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

14. The application site lies within the urban area of Thornaby, within the defined limits to development and within a residential area in close proximity to the town centre, its associated services and the local public transport network.
15. Saved Local Plan Policy HO3 requires new residential development to be within the defined limits of development, on land which is not allocated for another use and to not result in the loss of a site which is used for recreational purposes. Core Strategy Policy CS1 (The Spatial Strategy) supports housing development within the core area and within the conurbation indicating a priority for sites which support the regeneration of Stockton, Billingham and Thornaby.
16. The majority of the site is currently occupied by Blenheim House and existing bungalows and their replacement achieved through the proposed scheme would therefore be generally in accordance with policy. However, three of the bungalows proposed are located on existing open space which would be therefore be contrary to saved Local Plan Policy HO3 as well as Core Strategy Policy CS6 (3) which indicates that the quantity and quality of open space throughout the borough will be protected and enhanced with guidance standards being set out in the Open Space, Recreation and Landscaping Supplementary Planning Guidance Document Open Space SPD).
17. The open space has no formal function and is not suitable for active play but instead provides general open space within the residential area. A number of objectors

including councillors have indicated that whilst supporting the scheme generally, they do not wish to see the open space lost to the development as they consider it to be beneficial to the area. The applicant was made aware of these concerns and is also aware the loss of the open space is contrary to policy. In responding to the request to leave the open space free from development, the agent for the scheme has indicated that the requirement of the scheme is to provide supported dwellings for a vulnerable client group and that it is important to offer a range of accommodation types and levels of support in an inclusive yet protected environment. They have interpreted this need in the provision of 15 self-contained one bedroom apartments in a single building with supporting communal accommodation strategically located to facilitate integration with the wider community, and 13 two bedroom accessible bungalows clustered around a shared communal garden. The applicant considers that the total number of dwellings is critical to the delivery of a comprehensive service across the borough for this specific resident group in addition to offering new homes to the residents of the existing bungalows which would be demolished as part of this scheme.

18. The Head of Housing has advised that at present 152 adults with learning disabilities live in residential care and that over 200 adults with a learning disability with a housing need have been assessed as being able to live independently with support, 50 of which are classed as a high priority. It is further indicated that there is no accommodation of this type available or planned elsewhere in Stockton. In view of these matters, Housing Services fully supports this development as it will assist in addressing the identified affordable and supported housings need across the borough.
19. It is noted that the open space has no formal / active use and is therefore incidental amenity open space. It is also noted that other areas of open space exist within the local area, in particular a large swathe just to the north of the site (see appendix ref. 6). The Open Space SPD indicates that Thornaby has, as a whole, met the quantity standards for amenity green space. In view of these matters, it is considered that the loss of this relatively small area of green space would have a limited impact on the overall provision of open space within the immediate area. Whilst the development of such open space is normally resisted in view of the policy protection, matters of its importance, its functioning and there already being sufficient quantity of such open space within the area are material planning considerations, as is the significant benefit that the proposed bungalows on the open space would bring to the area. The bungalows are intended to provide accommodation for the elderly and people with learning disabilities and it is appreciated that there is a benefit to grouping these with the remainder of the proposed development, rather than either not providing them at all or providing them elsewhere where any supporting role becomes more difficult to manage. Further to this, the provision of 2 and 3 bedroom bungalows is highlighted in Core Strategy Policy CS8 (2) as being supported in order to get a better mix of house types.
20. In view of all these matters, although the part of the development on the open space would be contrary to saved Local Plan Policy HO3 and Core Strategy Policy CS6(3) the proposal is considered acceptable in this instance given the weight that must be attributed to the significant need for the type of accommodation that is being proposed and taking into account the area of open space has a limited function and there is a large area of amenity open space to the north of the site. It is considered therefore that the benefits of the scheme would outweigh the harm.
21. The Council does not have a 5 year supply of housing land which the National Planning Policy Framework (NPPF) indicates result in the Councils Housing Policies

being out dated. Whilst this is noted, it is considered that the additional three bungalows would have a particularly limited impact in this regard and this argument is afforded little weight in this instance.

Highway related matters

22. Core Strategy Development Plan Policy CS2 (Sustainable Transport and Travel) indicates all new major development that is likely to generate significant additional journeys, should be accompanied by a Transport Assessment and a Travel Plan. Whilst this proposal is a major development, (28 units), consideration is given to Blenheim House and existing bungalows already being on site. It is considered that the overall increase in traffic from the site would therefore be relatively limited and the requirement for such documents is therefore not justified.
23. Saved Local Plan Policy HO3 requires satisfactory arrangements to be made for access and parking for any development. The proposal seeks to provide two new accesses into the development with the existing access off Trenchard Avenue being blocked up. The apartment block would gain access off Sherwood Road and the bungalows would gain access off Trenchard Avenue. The Head of Technical Services has considered the submitted details and notes that the new access onto Trenchard Avenue will marginally affect the adjacent bus stop although accepts that a solution can be achieved that should have minimal impact on existing users of the highway and the operation of the bus stop. In order to achieve an adequate detail of the access, a condition is recommended which requires the agreement of the access design onto Trenchard Avenue.
24. Core Strategy Development Plan Policy CS2 requires parking spaces to be provided in accordance with the councils parking standards Supplementary Planning Guidance document. The scheme provides in-curtilage parking for the proposed bungalows and communal parking for the apartment block. The Head of Technical Services considers that adequate occupier and visitor parking spaces has been provided for the bungalows and that although there is no specific parking standards for the type of accommodation provided by the apartments, based on the parking requirements for similar development types, there would be sufficient spaces for residents and visitors and adequate manoeuvring space for ambulances although no spaces for staff. However, it is understood that there would not be any significant staffing levels for the apartment block. The Head of Technical Services is satisfied with the parking arrangements indicating that it will be the responsibility of management to manage staff parking and that cycle parking should also be provided at the site. A condition is recommended to achieve this.
25. The Head of Technical Services has requested a condition be imposed requiring a Construction Management Plan to be agreed in respect to HGV routes / trip profiles, staff parking, hours of construction and mitigation measures. A condition is recommended accordingly.
26. The Head of Technical Services has requested a footway is provided on both sides of the internal highway to ensure pedestrian connectivity. Adequate space is provided and a condition is recommended to achieve this.
27. Comments have been received suggesting that careful consideration is given to the provision and position of street lighting in order to improve the lighting of the site and the surrounding area. This is a matter which would generally be dealt with through the adoption of the highways, however, not all of the highway / communal area within

the site would be adopted and as such a condition is recommended to achieve a scheme of lighting within the site.

Site Layout, design and appearance of buildings

28. Saved Local Plan Policy HO3 requires new residential development to be sympathetic to the character of the locality and take account of and accommodate important features within the site. In addition, Core Strategy Policy CS3 requires new development to make a positive contribution to the local area by protecting and enhancing important environmental assets, respond positively to existing features of local character including hedges and trees and to include the provision of high quality public open space.
29. The application site is surrounded by residential properties which includes 2 storey terraces and a 3 storey block, as well as including bungalows within the existing site. The proposed scheme provides a mix of bungalows and a 2 storey apartment block whilst provides gardens to all. In view of these matters it is considered that the scheme would be in keeping with the surrounding area. Control of materials and landscaping via condition will further assist this.
30. There are two trees on the site subject of a Tree Preservation Order, one which would be lost to allow a bungalow to be constructed and one which can now be retained following the movement of the apartment block. The loss can be compensated for by a new planting scheme but in order to protect the remaining tree a scheme of tree protection is recommended via condition.
31. Boundary enclosures to the front of the site and throughout the site are considered to be an important requirement and as such a condition is recommended to ensure adequate control is maintained over the provision of enclosures and their precise details.

Impact on surrounding properties / residents

32. Saved Local Plan Policy HO3 supports new residential development where it does not result in an unacceptable loss of amenity to adjacent land users.
33. The proposed bungalows all have a limited height, have their own front and rear gardens and are reasonably spaced from existing houses. The apartment block is a 2 storey development and is relatively large as a single block. A request was made that the apartment block be re-orientated to place the lower level section closest to existing properties and the higher section further away. The applicant has indicated that this would not be ideal as the lower section is the communal area of the building where visitors would come and this is better positioned closest to the access / Trenchard Avenue. Notwithstanding this, the applicant has agreed to moving the apartment block further away from existing properties and to including a hip roof on it which will reduce its massing at the point closest to residential properties.
34. An objection was received from the occupier of a property backing onto the apartment block and its associated car park, being concerned over the reduction in privacy to their rear garden and over the impacts of the car park adjacent to the rear garden fence. The changes detailed above have been made following this objection being made in addition to which the applicant has slightly reduced the scale of the car park to allow for some planting adjacent to the boundaries with existing residential properties. Whilst the apartment block will remain to be a large building,

in view of the distance from the nearest properties, and them having limited rear windows directly facing the apartment block, it is considered that there would be no significantly detrimental impacts on the privacy or amenity associated with the occupiers of these properties.

Other Matters

35. Core Strategy Policy requires new residential developments to achieve a minimum of level 4 of the Code for Sustainable Homes and for 10% of anticipated energy demands to be generated by renewable sources on site. Whilst this is noted, consideration needs to be given to this scheme replacing existing units. It is considered appropriate for these requirements to be placed only to the overall increase in units. Conditions are recommended accordingly.
36. Core Strategy Development Plan Policy CS8 (5) requires a 15-20% provision of affordable housing to be provided for schemes of 15 dwellings or more or development on sites of 0.5ha or more. The proposal will provide 100% affordable housing. A control would normally be imposed to ensure 20% of the housing would remain in perpetuity should ownership circumstances change in the future. A condition is recommended accordingly.
37. Core Strategy Policy CS10 (9) requires new development to be directed to areas with a low risk of flooding. The application site is set away from any watercourses and as such is not at risk from flooding, being located with Flood Zone 1. Further to this, the site is already developed and the additional loading on the surface water drains is expected to be relatively minimal. The submission included a Flood Risk Assessment which indicates that there are no other secondary flood risks which pose a risk to the site and that the surface water drainage proposals would not increase flood risk either on or off site due to the similar flow rates from the existing and proposed sites. Northumbrian Water has indicated that they have no comments to make in respect to the development. The Environment Agency has indicated the scheme falls outside the scope of their control and therefore have no comments to make. In view of these matters the proposal is considered to accord with Core Strategy Development Plan Policy CS10(9).
38. Core Strategy Policy CS10 (11) advises that when redevelopment of previously developed land is proposed assessments will be required to establish risks associated with any previous contaminative uses. The previous use of this site is residential and no new risks are anticipated. The Councils Environmental Health Officer has raised no objections to the scheme although recommended that a condition is imposed in respect to unexpected land contamination. Taking into account the sites intended use and its location in close proximity to other residential properties, conditions are recommended in respect to unexpected contamination, as well as construction working hours and for the provision of a site waste management plan.
39. Core Strategy Policy CS11 requires contributions to be made for new residential development in accordance with the Supplementary Planning Guidance Note. The proposal relates to supported accommodation and there are already existing bungalows and communal accommodation on site. The apartment scheme includes a communal garden area whilst the bungalows are all served by front and rear gardens and off street parking which is beyond the provisions afforded the existing bungalows on site. In view of these matters, it is considered that contributions to open space, highway improvements, education contributions etc. could not be justified.

40. Northern Gas Networks have raised no objections to the scheme although requested the developer make contact with them due to their being gas apparatus on site. An Informative has been recommended to address this.
41. Concern has been raised about the extent of noise and dirt through the construction phase of the development; however, these are generally accepted impacts of any development. In view of the sites close proximity to existing residential properties, conditions are recommended to limit construction working hours and for a construction management plan.
42. One resident has indicated that access should be retained for existing residents which back onto the site in order to ensure their rear gardens and the rear of properties can be maintained. Whilst this is noted, the land to the rear of the properties where rear accesses currently exist is not public and such a request would therefore not be reasonable to enforce. However, the applicant has agreed to the provision of a path along the rear of these property boundaries which would lead to the communal areas around the apartment block. This is welcomed.
43. The Head of Technical Services has requested a new boundary treatment be provided to the site frontage to prevent vehicles over running across the site. A boundary enclosure condition is recommended which will address this matter.
44. Objectors have raised an issue of subsidence in the area and potential impacts for the proposed properties and existing properties. This is considered to be a matter for Building Control Legislation rather than something which can be dealt with by planning.

CONCLUSION

45. The proposed redevelopment of the site is considered to generally be in accordance with relevant policies due to it being of a scale and type of development suitable for its position within the defined limits of development, on a brown field site and within a residential area. Adequate privacy and amenity would be achieved for existing and future occupiers due to the layout and spacing of properties whilst adequate access and parking is provided to the satisfaction to the Head of technical Services. The development of a small area of open space is accepted based on the significant need within the borough for the type of housing provision and the open space having no formal function and their being an adequate quantity of open space within the area for this type of open space. It is recommended that the application be Approved with Conditions for the reasons specified above.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Andrew Glossop Telephone No 01642 527796**

WARD AND WARD COUNCILLORS

Ward Stainsby Hill
Ward Councillor Councillor Mrs Sylvia Walmsley, Councillor Derrick Brown

IMPLICATIONS

Financial Implications:

The Council procured a partner for the site in order to make a bid to the Dept. of Health (Specialist Care Fund) for the funding of the scheme in order to deliver accommodation for older people and people with learning disability. In the long term, this provision will have a direct revenue saving implication for the Council.

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

The proposed redevelopment of the site is of a slightly larger scale to that which is currently on the site and will result in the loss of some green open space and a protected tree. Through the provision of new garden areas and a landscaping scheme it is considered that the housing scheme within an established housing area would not have any undue environmental implications.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. The scheme provides for adequate amenity, privacy and access. Subject to control it is considered that the scheme would not unduly affect anyone's right to life, liberty, security, private and family life, peaceful enjoyment of property and freedom to expression. The views of people making representations have been taken into account in reaching the recommendation.

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.

Within this report consideration has been given to the movement of pedestrians, the need for areas to have boundaries to prevent uncontrolled movement and for overlooking between uses. It is considered that there are no community safety implications which would suggest the application should be determined otherwise.

Background Papers:

Stockton on Tees Local Plan

Stockton on Tees Core Strategy Development Plan