

DELEGATED

AGENDA NO 4

PLANNING COMMITTEE

13th November 2013

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

13/2184/OUT

**Field At Grid Reference 440817 514442, Urray Nook Road, Eaglescliffe
Revised Outline application for residential development (C3)**

Expiry Date: 26 November 2013

Update Report

Additional comments have been received from the following;

- The Councils Environmental Health Officer,
- Yarm Town Council ;
- Northumbrian Water;
- Councillor Dennis
- 2 Residents

Comments had previously been received from the Police Tactical Training Centre although they had requested that these be treated as private and were therefore not logged for public viewing. Officers queried the need for them to be private and Cleveland Police have further considered their stance on this and now advise that the comments can be made public.

Additional comments including those of the Police Tactical Training Centre are summarised below;

Councillor Dennis

I wish to reiterate my previous comments regarding this application, a large number of questions were not answered previously, and they remain unanswered this time round.

The hydrology issue now has further questions to be answered, Egglecliffe school are having to investigate why their all weather pitch is sliding down the hill towards Nelly Burdons Beck, highways are also concerned about movement of concrete rafts, on the same hill that slopes towards the beck. Changing the amount of flow through this beck is clearly going to have an impact.

There still is no acknowledgement to the traffic problems around the Cleveland Bay, no mitigation has been offered by any scheme in the area, yet this bottle neck is the cause of the majority of traffic issues.

The timing of this application still does not allow for right and proper investigation to the habitats of Newts, indeed the timing could not be at a worse time of year, as the investigations must take place early in the year, not at the point where activity is at its lowest.

Previous Comment Reiterated

I wish to object to the proposal on the following grounds:-

Environmental and Highways.

There are several environmental reasons why this development should not go ahead:-
If this site is developed for housing significant effort must be made to ensure the site is well drained, currently this site holds a significant volume of water and releases it slowly into the surrounding water courses.

By taking away this natural sponge we are affecting the flow rates and capacity of the local streams and waterways, this will increase the risk of flooding in other locations including the homes in the neighbouring residential development and adding to volume of water entering the river Tees at Yarm increasing the risk of flooding.

Historically there were several ponds on or around this site that over time have been filled in, a number of these are re establishing themselves due to settlement and hold large populations of newts. The desk based surveys of this site fail to take these into account. I call on the planning authority to instigate an independent survey of the area during the relevant breeding cycle to establish how these creatures will be effected. Currently this site is also used as a highway between various locations the newts use depending on the seasons. By building on this site we will block their route and seriously damage this meta Population.

The air quality along the A67 Uraly Nook Road already reaches the minimum standard permitted by statute, several times a week. The addition of extra traffic onto this road from this development will reduce the air quality significantly further, this is caused by increasing the length of time car engines are operating at their least efficient at lower speeds. These times of higher air pollution match precisely the times of day traffic tails back from the A135 A67 junction. The officers at the technical services department of this authority have offered little if any positive hope on how to increase capacity and improve traffic flows at this junction, whilst ensuring the safety of motorists exiting Aisalby Road which is located 50 yards away. Aisalby Road serves a significant community, and is the only practical link to the many services they need.

The figures provided for air quality come from a measuring station located within the grounds of a school that holds over 1300 children and is passed by many other children on foot attending primary schools in the area. The pollutants in question have been linked to various serious ailments and if significant steps are not taken to reduce them will lead this authority to miss several key targets set nationally to improve the health of its residents.

There is also a prospect of an increase in traffic along Long Newton Lane, in order to reach the A66 without getting caught up in the traffic chaos that will develop further in Eaglescliffe. The access to Long Newton Lane is very close to the level crossing adjacent to this site. Long Newton Lane as the name suggests a poor rate country lane with many twists and turns unable to cope with an increase of traffic.

Sustainability.

This site is not sustainable for a number of reasons. It is a site that is located as far as it is possible to get in the ward of Eaglescliffe from the core area and many other significant employment locations. Its transport links are therefore inherently dependent on the use of private cars. There is no significant access to public transport on this site, the nearest rail station at Allens West is twenty minutes away by foot, and in itself necessitates a car journey to allow for reasonable access. The alternate station at Teesside Airport is served so infrequently as not worthy of mention. The bus service at this site is also very poor, as this initial proposal is for around 160 homes it will not generate sufficient passengers to justify any improvements to bus services of a viable nature to the transport providers.

The desk based study for services in this area is also clearly inadequate and assumptive in its recommendations; it takes into account a Post Office that closed some years previous. It does not take into account the significant lack of capacity in primary school places in the community or the distance to the nearest doctors surgery. Both of these will result in extra car journeys being undertaken adding to the volume of traffic into the junction mentioned earlier.

In summing up the community of Eaglescliffe has reached its capacity to grow and be healthy. Any section 106 agreement for this site will not be able to cover the uplift in capacity required in the highways in the area or schools. This authority needs to concentrate on delivering homes in the

core area as outlined in the adopted core strategy, this remains the only strategy in place and should be promoted and supported vigorously.

This site currently is designated as employment land in support of Teesside air port, as such it is vitally important to keep this option available so that future sustainable industries be allowed to develop.

Yarm Town Council

Object, suggesting the development must not take place until the Infrastructure in and around the area is addressed, that roads cannot sustain any more traffic, that additional traffic will only exasperate an already serious situation and could cause gridlock.

Advise the site is outside the current limits of development and is a Greenfield site, that the development would lead to serious drainage and flooding problems which would affect local becks and streams and farm land. Also suggest that there would also be significant detrimental disruption to the wildlife corridor and additional homes would cause serious pressure on the existing infrastructure of Yarm and on Yarm High Street and local services would be under immense pressure to cope with additional housing demands

Northumbrian Water

Have confirmed that there is capacity available within their surface water drain for the Surface Water flow as requested by the applicant of 20 litres per second.

SBC Environmental Health Officer

Confirms no objection in principle to the development and recommend conditions.

Advises that the waste discharge pipe from the Elementis site has been investigated and there is no evidence of soil contamination from this pipe and that the pipe does not run on the residential part of the site. Comments are noted regarding a foul sewer discharge consent from the old MOD site however it is understood that this is adjacent to but not on the proposed site. This is therefore considered to not be an issue.

In responding to application 12/2047/OUT, Environmental Health had requested a condition requiring a preliminary risk assessment of the land, however this has now been completed and so it is only necessary for a condition to implement the recommendations of the report and in regard to any unexpected land contamination.

Recommended conditions relating to;

- Preliminary Risk Assessment
- Unexpected land contamination
- Site Waste Management Plans
- Construction Noise

The Police Tactical Training Centre

The training facility that Cleveland and Durham Police have is key to strategic policing requirements and the building has a 60 year intended life span, having been built in 2001. Concerns of the Police with regard to this particular development are related to;

- Impact of noise from the specialist nature of training on new residents.
- Impact of noise from national Police Air Support helicopter, North East Air Ambulance helicopter and other emergency services helicopters.
- Views from the proposed developments overlooking the site and observing specialist tactical training
- Obstruction during and after the construction phase of development for the Police to dispatch officers from the premises via Urray Nook Road.

The Police request that any planning approval ensures that the developer and any potential residents are fully informed regarding the potential impacts and make appropriate adjustments to

any plans for the development and seek assurances that the Police will not be vulnerable with regard to complaints from residents as to the impact of the noise and other associated activities.

They have asked to be kept up to date with any planning consents so that they can aid a successful development should it be approved.

Following clarification being sought by officers, in respect to the nature of their training the police indicated that a helicopter will land at the site on average once a month although there are plans to base it here for 6 months whilst work is undertaken at Teesside meaning at least two flights a day. They have also advised that weapons are fired almost daily and distraction devices / charges are used which emit sound up to 180dB. They have advised that training takes place on average 2 days a week and around 50 of the distraction devices would be discharged externally per day, although have indicated that there can be periods of 3-4 weeks where non are discharged.

The Police Tactical training Centre have offered to demonstrate their activities to committee if members feel it would be necessary to their considerations.

S Ballantyne, 6 Grassholme Way, Eaglescliffe

Submitted photographs of queuing traffic which he considers demonstrate that the road infrastructure in and around Yarm and Eaglescliffe cannot cope with any additional traffic and suggests thought is given to the children/families that already walk to and from school and the additional road risks they will encounter should these developments continue to be Approved, increasing health risks as pedestrians will be breathing in fumes as they pass the stationary/slow moving traffic.

Mrs Bashford, 80 Mayfield Crescent, Eaglescliffe

Objects on the way committee will be conducted and the controls on people speaking whilst suggests Stockton Council are determined to drag Eaglescliffe and Yarm into the gutter and has suggested that the council build houses in the labour areas, not in middle class areas.

Material Planning Considerations

Flood Risk and Drainage

1. The confirmation from Northumbrian Water is welcomed, indicating there to be sufficient capacity for the connection of the site surface water drains. A condition within the main report require the detailed design of the surface water drain which could not be designed for an outline scheme of this nature as the layout and extent of hard surfacing is not known at this point in time. Cllr Dennis has mentioned hydrology issues at Egglecliffe school and considers changing the flow through Nelly Burdon's Beck will impact on this. Whilst noted, there is no evidence to support this. Technical Services and Northumbrian Water accept the outline drainage proposal with the final detail being designed once the site layout and hardstand areas are known. Officers have no reason be believe that adequate drainage for this site cannot be achieved.

Traffic

2. Cllr Dennis indicates that there is no mitigation for the Cleveland Bay Junction yet this is a bottleneck which causes the majority of traffic issues. The impact of traffic and queue lengths has been considered by the Head of Technical Services. The scheme is of a limited scale whilst will contribute towards improving pedestrian and cycle links and parking provision, thereby reducing the need to travel by car. Other highway mitigation works are required by the S106 Agreement and in view of the traffic based impacts of the scheme being limited, it is considered they would be insufficient to warrant refusal of the application, particularly in view of guidance of the NPPF that is to limit the impacts where possible and only refuse an application where impacts are severe.

Contamination matters

3. Comments from the Environmental Health Officer indicate that there is no contamination highlighted from the soil testing and sampling of the ground along the route of the Elementis surface water outfall pipe. The councils Environmental Health Officer now suggests a condition is required to ensure the implementation of the Preliminary Risk Assessment Findings which relates to further preparatory works, site investigation and mitigation. As there is no indication of site contamination, this approach is considered suitable. A condition to deal with unexpected land contamination has already been included within the main report.
4. A condition was recommended on 12/2047/OUT in respect to a Site Waste Management Plan being required. The same request has been made by the Environmental Health Officer in respect to this application, however, this is a matter which can be dealt with through the Environmental Health Legislation and imposing a condition to address this matter would be an unnecessary duplication. As such it is no longer proposed to impose this condition.

Noise

5. Objectors raised concern that the proposed residential development will suffer excessive high impact noise from the Police Tactical Training Centre. Movements of the helicopters from the site are generally considered to be infrequent. The use of charges externally focuses around training courses which have been indicated as occurring normally for 2 days a week for several weeks and there being some weeks where no such training will take place. It has been indicated that around 50 charges per day could be used on a training course.
6. Environmental Health have indicated that they have had no complaints regarding noise from the site, including from the residential properties immediately to the east of the proposed development. It is recommended retaining a buffer zone between the training centre and the proposed houses for noise reduction purposes and the intervening land between the proposed housing and the training centre is approximately 0.3 km would achieve this. The councils Environmental Health Officer has advised that were noise complaints be received from occupiers of the proposed residential development, they would be investigated but are unlikely to warrant statutory noise nuisance action unless activities significantly intensify. It is further suggested that future residents be made aware of the training centres presence in the same way they should be aware of the potential noise from being on the flight path of the airport.
7. The site layout has not as yet been confirmed and can take into account the benefit of buffering the development from the training centre as would be the case from the road to the south and the railway line to the north. Whilst conditions exist which control landscaping and boundary treatments which will assist with noise attenuation, for the sake of clarity an additional condition is recommended having specific regard to noise mitigation from surrounding uses. In view of the matters detailed, the noise being intermittent, there being intervening land and the layout being able to be designed with the presence of noise generating uses around the site in mind, it is considered that the overall impacts on the future amenity of residents would be acceptable.

Other Matters

8. Where they are Material Planning Considerations, the matters raised by Yarm Town Council, Councilor Dennis and residents which are not detailed within this update report are considered to have already been addressed within the main report.
9. Councilor Dennis's comments in respect to the site being allocated industrial land is incorrect. The allocated industrial land lies adjacent to this site.

10. Having had further opportunity to consider some matters initially intended to be dealt with under the provisions of the S106 Agreement, it is considered that imposing Grampian conditions would be a better way of dealing with them, these relate to;
Upgrade works to the Public Right of Way; and
The provision of the extended bus service being put forward by the developer.
This will prevent risk to the authority in terms of meeting any funding gap.
11. Comments from the PTTC with regard to viewing into their site are noted, however, this site is not immediately adjacent to the Police Tactical Training centre (PTCC) which itself has an open mesh fence surrounding it and as such, people could already view into the site. This proposed development will not affect this situation.
12. Concerns from the PTTC over the obstruction to the highway is a matter for the police and the highways authority. The planning permission could not reasonably control the use of the highway in this regard.
13. The PTTC have requested that new residents be informed of the presence of the centre and its impacts however, officers consider this an unnecessary control having already established that the impacts are acceptable.
14. Under the Heads of Terms within the Main Report reference was made to providing an update on the heads of terms in respect to education. This is as follows;

A financial contribution to primary school needs within the Primary Planning Area within which the Development is to be located to be calculated on the Occupation of the 25th Dwelling in accordance with the First Formula and payable on dates to be agreed.

A financial contribution to secondary school needs within the Secondary Planning Area within which the Development is to be located to be calculated on the Occupation of the 25th Dwelling in accordance with the Second Formula and payable on dates to be agreed.

Recommendation

To determine the application in accordance with the main report subject to the following changes;

1. Removal of Condition 18 within the main report relating to site Waste Management Plans.
2. Inclusion of the conditions below;
3. Remove the bus service provision from the Heads of terms.
4. Inclusion of the Education Heads of Terms detailed within this update report.

Preliminary Risk Assessment

No development hereby approved shall be undertaken on site until a scheme of site contamination assessment and mitigation has been undertaken to the written satisfaction of the Local Planning Authority, in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based around but not restricted to the scheme detailed within Sections 6, 9 and 10 of Fairhurst's Geo-Environmental Desk Study Report for Urray View Residential Development ref: D/I/D/91483/02/C as submitted on the 27th August 2013.

Reason: To adequately deal with any contamination of the site in accordance with the requirements of National Planning Policy Framework.

Bus Service

No more than 75 properties will be occupied within the development hereby approved until an extension to the local bus service/s has become operational which provides a daytime hourly service Monday to Saturday and a Sunday Service for a period of 5 years up to the Lartington

Way South East Bus Stop , in accordance with a scheme of such which has first been submitted to and approved in writing with the Local Planning Authority.

Reason: In order to ensure a wide choice of transport options are available for future occupiers in accordance with Core Strategy Development Plan Policy CS2(1) Sustainable Transport and Travel.

Public Right of Way

No development hereby approved shall be undertaken until a scheme works to the Public Right of Way within the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the timing of the works and the development shall be undertaken in accordance with the approved scheme.

Reason: In order to ensure an adequate path is provided for the intensified use likely to result from the development.

Noise Mitigation scheme

No development hereby approved shall be undertaken until a scheme of noise mitigation has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail noise mitigation measures from surrounding land uses including the highways and railway. The development shall be undertaken in accordance with the approved scheme.

Reason: In order to achieve suitable levels of amenity for future occupants in accordance with the requirements of the National Planning Policy Framework.

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

WARD AND WARD COUNCILLORS

Ward Eaglescliffe
Ward Councillor Councillor A. L. Lewis, Councillor Mrs M. Rigg, Councillor Phillip Dennis

IMPLICATIONS

Financial Implications:

There are no known financial implications other than those detailed within the Heads of Terms relative to the provision of a Section 106 Agreement, any future title transfer of land or assets such as drainage features.

Legal Implications:

There are no known Legal Implications associated with the determination of this application.

Environmental Implications:

The application has been considered against its impacts on the environment. It is considered that there are no notable impacts for wildlife or their habitat, subject to mitigation, that pollution / contamination of the site can be dealt with through survey work, that additional native landscaping and areas of open space can be provided to enhance the sites environment and that matters of noise, traffic and the associated use of the site including during the construction phase, can be adequately dealt with, without undue impacts on the surrounding environment.

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 report has detailed and taken into account the matters raised through the consultation process. It is considered that suitable levels of amenity and privacy can be maintained for surrounding residents. Consideration has been given to the level of impact and mitigating circumstances with conditions being recommended to reduce the impacts of the scheme where considered necessary to do so.

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. Consideration has been given to the movement of pedestrians, the potential for anti-social behaviour, the increase of traffic on the highways and its associated impacts on pollution. It is considered that the development would not unduly affect community safety.

Background Papers:

Application Submission documents for 12/2047/OUT

National Planning Policy Framework

Stockton on Tees Local Plan

Stockton on Tees Core Strategy Development Plan

Supplementary Planning Document 3. Parking Provision for new developments

Supplementary Planning Document 6: Planning Obligation

Supplementary Planning Document: Open Space, Recreation and Landscaping

Regeneration and Environment LDD preferred options draft

Five Year Deliverable Housing Supply Final Assessment: 1st October 2013 to 30th September 2018
(2nd quarterly update report)