

DELEGATED

AGENDA NO

PLANNING COMMITTEE

DATE 18 DECEMBER 2013

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

13/2568/EIS

Tall Trees Hotel Worsall Road, Kirklevington

Construction of a Housing Development comprising approximately 330 dwellings and associated roads, landscaping and public open space (Demolition of the existing hotel facilities).

Expiry Date: 10 January 2014

SUMMARY

This application seeks Outline Planning Permission for the construction of up to 330 dwellings and associated roads, landscaping and public open space and demolition of the existing hotel facilities. The application is in outline with all matters reserved except for access.

The site benefits from an extant planning permission for 62 detached dwellings and 81 apartments together with an extension to the hotel complex.

The applicant states that due to the downfall in the financial market and especially within the leisure industry; this has led to the closure of Tall Trees nightclub with the resulting demise of the associated hotel business, which ceased operations in June this year. Therefore, in order to produce a more viable option than the present use as a hotel and leisure complex, the applicant has put forward this residential proposal.

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

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

The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring residents, the impact on the highway network and highway safety, flood risk, ecology and nature conservation, archaeology, health and safety and other material planning considerations.

It should be noted that the development is on an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations

indicated otherwise. Development is strictly controlled within the countryside beyond these limits and is restricted to limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. The proposal does not fall within these categories and a judgement is required whether considerations in support of the proposed development are sufficient to outweigh rural restraint policies.

In addition a further material consideration is that a significant part of the site benefits from extant consents 04/3905/EIS and 08/0613/REM (Hotel extensions and apartment developments) and 11/0549/OUT (62no.dwellings and 81no. apartments and Hotel expansion). The application site is a part brownfield/part greenfield and the principle of residential development on the brownfield element of the site has been accepted in the recent past albeit support was given to the application for the redevelopment of the site based on the delivery of a 5* prestigious hotel and conference facility and the regeneration and economic benefits the scheme would bring to the Borough and the wider area. In terms of the consent it was accepted by the Council that in order to facilitate the provision of a 5* hotel, investment from residential development will be required. As such it was considered the regeneration and economic benefits outweighed the policy objections, which would otherwise apply to the housing scheme.

As stated above the applicant contends that the current financial market and demolition of the associated Tall Trees nightclub severely affected the applicant's day to day running of the hotel business and increasingly personal financial burden, which led to the recent closure of the hotel in June this year. Furthermore the applicant states that due to the current land values and amount of development allowed under the extant consent 11/0549/OUT (62no.dwellings and 81no. apartments), this would not have been viable to proceed with, to ensure the hotel expansion and provide a competitive return to the landowner.

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

The five year housing supply assessment for Stockton-on-Tees is updated annually using a base date of 31 March. The Council has produced a report entitled „Five Year Deliverable Housing Supply Final Assessment: 2013 – 2018". The Report concludes that the Borough has a supply of deliverable housing land of 3.96 years.

The five year supply assessment is also being updated every 3 months on a trial basis. The second quarterly update uses a base date of 30 September 2013. The report entitled „Five Year Deliverable Housing Supply Final Assessment: 1st October 2013 to 30th September 2018 (2nd quarterly update report)" concludes that the Borough has a supply of deliverable housing land of 4.23 years.

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

Having carefully weighed all the above considerations in the planning balance, it is considered that the application site is a sustainable development and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied.

Significant weight is required to be placed on the need to support economic growth through the planning system. It is clearly a benefit of the proposal that it would boost significantly the supply of housing and responds positively to an opportunity for growth. As indicated in the main report the Local Planning Authority's policies for the supply of housing cannot be considered up-to-date as it cannot be demonstrated that there is a five-year supply of deliverable housing sites. It is considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It is considered that approval of this application is not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be reasonably withheld.

Other matters have been considered in detail and the development as proposed is acceptable in terms of highway safety, it does not adversely impact on neighbouring properties or archaeology or the ecological habitat and flooding and subject to compliance with Health and Safety Executive and National Grid requirements, on balance it is considered that, the development can be supported and the application is therefore recommended for approval subject to conditions and a Section 106 agreement.

RECOMMENDATION

That planning application 13/2568/EIS be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms (or such minor variations to be authorised by the Head of Planning;

In the event of the legal agreement having not been signed, or there still being outstanding matters on the 10th January 2014 that the application be delegated to the Head of Planning to be refused.

HEADS OF TERMS

Education

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

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

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

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

Any agreement would be subject to index linking in accordance with SPD 6.

Affordable Housing

The provision of 15% of the units within the site shall be provided as affordable housing. Affordable housing shall be provided as follows unless an alternative scheme is agreed in writing with the Local Planning Authority;

Affordable housing/property size: 91% of units to be 2 bedroom and 9% of units to be 3 bedroom

Affordable housing tenure mix: 30% of the 2 bedroom affordable dwellings shall be made available on an intermediate tenure basis and 70% for affordable rent and 30% of the 3 bedroom affordable dwellings shall be made available on an intermediate tenure basis and 70% for affordable rent

Trigger points for affordable housing delivery: a suitable phasing scheme shall be agreed outlining milestones and trigger points for the delivery of the units. This shall require, at least:

- **no more than 50% of the open market housing to be substantially completed prior to the handover of 50% of the affordable housing units**
 - **no more than 85% of the open market housing to be substantially completed prior to the handover of 100% of the affordable housing units**
- %'s of units shall be rounded up or down accordingly.**

All affordable housing will comply with the Homes and Communities Agency space/quality standards.

Highway Mitigation

Contribution (£2,000) towards the introduction of a Traffic Regulation Order (TRO) on Green Lane to reduce the speed limit from 60 mph to 40 mph;

Contribution (£2,000) towards the introduction of a Traffic Regulation Order on Green Lane to prevent vehicles parking around site accesses.

Fund the provision of a pelican crossing on the B1264 Green Lane;

Contribution for the provision of a 3m wide footway/cycleway between the site and neighbouring areas, including the provision of suitable crossing facilities.

The provision of an off-street car park close to Yarm High Street (or a financial contribution of £137,500) laid out and equipped in accordance with the operational requirements of SBC. This car park must be fully operational as a long-stay car park prior to the occupation of the tenth dwelling on the site.

Enter into a S278 for the following works:-

Two new access junctions into the site from Green Lane;

Speed reduction works to reduce the speed limit on Green Lane from 60 mph to 40 mph. To include street lighting and signing;

New footways, dropped kerbs and tactile paving at both new junctions providing access into the site from Green Lane to connect the development to the existing pedestrian network;

Travel Plan

Prior to commencement of development, submit a Travel Plan for approval by the Local Planning Authority including a proposal to ensure the appointment of a Travel Plan

Coordinator for a minimum of 5 years, modal split targets and measures; exit strategy; details of the welcome/marketing pack that is to be given to buyers/occupiers, including any electronic media (e.g. webpage); incentive payments of £100 per dwelling (a total cost of £33,000). The Travel Plan Coordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive; details of baseline travel plan survey and subsequent surveys.

Employment and Training

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

Management of community facilities

Prior to the completion of the on-site community land and facilities the owner shall submit a scheme to the local planning authority for approval detailing a community use agreement and the arrangements for the future maintenance and management of the land and facilities, either by way of transfer to the council (if agreed by the council) or for management and maintenance by the owner or a management company/community trust and the land and facilities shall thereafter be managed and maintained in accordance with the approved scheme.

The provision of changing/clubhouse facilities on the open space at the west of the development site shall be available for use prior to the completion of the 150th dwelling.

CONDITIONS:

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

**Plan Reference Number Date on Plan
To be agreed.
Reason: To define the consent.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

09. The total amount of residential units as authorised by this permission shall not following the issue of the permission hereby granted exceed 330 dwellings (C3 Use Class).

Reason: To ensure a satisfactory form of development.

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

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

11. Within each phase, no development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

Reason: In the interests of promoting sustainable development.

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

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

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

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

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

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

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

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

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

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

Reason: To ensure a satisfactory form of development.

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

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

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

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

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

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

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

the Local Planning Authority before development commences and implemented in accordance with the approved details.

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

21. All ecological mitigation measures within the Ecological Statement, Naturally Wild, May 2013 shall be implemented in full in accordance with the advice and recommendations contained within the document.

Reason: To conserve protected species and their habitat

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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

23. A Construction Management Plan shall be submitted and agreed, prior to the commencement of development on each phase, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

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

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

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

26. No development shall commence until a design code setting out the comprehensive design framework for the residential dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the design code should be implemented in broad accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

27. Prior to the commencement of any works which may affect bats and or their habitat, a detailed mitigation and monitoring strategy should be submitted to, and approved in writing by the local planning authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing.

Reason: To conserve protected species and their habitat.

28. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) within Chapter 6 of the Environmental Impact Assessment (EIA) and the following mitigation measures detailed within the FRA:

- 1. Limiting the surface water run-off generated up to and including the 100 year (inc. climate change) critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This pre-development rate has been calculated as 487 l/s based on the 1 in 2 year critical storm.**
- 2. Provision of compensatory flood storage/attenuation between 221m³ and 651m³ in order for the pre development rates to be achieved. A strategy should be submitted detailing the exact methods to be used to achieve this.**

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

Reason:

- 1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.**
- 2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.**
- 3. To reduce the risk of flooding to the proposed development and future occupants.**

29. Development shall not commence until a detailed scheme for the management and disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

INFORMATIVES

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

Airport

As the site is within 6km of the airport, the developer should inform DTVA of any crane activity at the site. This is so DTVA can inform aircraft of any possible high structures as they approach the runway

Sport England

The proposed pavilion building should be designed in accordance with Sport England's design guidance notes which can be viewed at;

<http://www.sportengland.org/media/30956/Pavilions-and-clubhouses.pdf>

Whilst the proposed playing field and pitches will need to accord with our design guidance Natural Turf for Sport, which can be viewed at;

<http://www.sportengland.org/media/30865/Natural-turf-for-sport.pdf>

Fisheries and Biodiversity

It is recommended that all of the mitigation measures, detailed in Chapter 3 (Ecology) of the EIA are implemented and adhered to. The measures identified in the EIA are consistent with National Planning Policy Framework (NPPF) paragraph 109 which states that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. This approach is supported by recent legislation and Government Guidance as set out in the Natural Environment and Rural Communities Act 2006 and the UK Biodiversity Action Plan.

Sustainable Drainage Systems

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Further information on SUDS can be found in:

- o the CIRIA C697 document SUDS manual;*
- o HR Wallingford SR 666 Use of SUDS in high density developments;*
- o CIRIA C635 Designing for exceedance in urban drainage - good practice;*
- o the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on our website at: www.environment-agency.gov.uk and CIRIA's website at www.ciria.org.uk*

BACKGROUND

1. The Planning History for the Tall Trees site is extensive, however for the purposes of this application, only the most recent permissions for the hotel extension and 250 apartments are considered pertinent: -
04/3905/EIS Resubmission of Outline application for the erection of 250 no. apartments and hotel extension including new leisure and business centre and new means of access (demolition of existing nightclub/leisure complex/function rooms).
06/3419/REM Reserved matters application for approval of external appearance for hotel extensions and erection of 250 no. apartments.
08/0613/REM Reserved matters application for approval of landscaping of the site of planning approval.
11/0549/OUT - Outline application for executive development consisting of 62 detached dwellings and 81 apartments.
2. The applicant states that due to the downfall in the financial market and especially within the leisure industry; this has led to the closure of Tall Trees nightclub with the resulting demise of the associated hotel business, which ceased operations in June this year. Therefore, in order to

produce a more viable option than the present use as a hotel and leisure complex, the applicant has put forward this residential proposal.

SITE AND SURROUNDINGS

3. The application site extends to approximately 16.5ha of land encompassing the grounds of the Tall Trees Hotel, near Yarm and former Saltergill School and Rosσμαith Kennels, Saltergill Lane.

4. The site is bound by the B1264 to the north and the Saltergill Beck to the south. The land to the north, west and south of the Tall Trees site is agricultural land. Saltergill Beck Woodland and Pasture is a designated Local Wildlife Site. The application site itself is a generally level area, extending on its southern edge into the sloping ground above Saltergill Beck.

5. The site is accessed by vehicular and pedestrian traffic directly from the adjacent highway of B1264 (Green Lane). The application site presently contains a vacant hotel complex with associated buildings and remains of the recently demolished Tall Trees nightclub. The associated land has a flat and level topography predominately comprising of tarmac hardstanding with landscaped mounds bordering the northern and western perimeters of the site.

6. A curved brick wall with stone pillars frames the entrance to the site off the B1264. To the east is low thorn hedging; to the west is a high grassed mound with intermittent, young tree planting. Further west the boundary comprises a tall roadside hedgerow. Areas of more mature tree planting are located to the rear of the hotel, on the slopes above Saltergill Beck, both to the south of the Beck and to the north. Trees on the northern side are mainly located in the area to the south of the hotel, at the eastern end of the site and around the pond. To the west, trees line the edge of the Beck, with some isolated mature trees further up the slopes at the western end of the buildings.

7. Land at Saltergill School and Rosσμαith are presently screened by mature dense trees and hedgerows, which will be retained as part of landscape features of the proposed open space provision and screening backdrop for the new residential development as viewed from the adjacent highway of Green Lane.

8. The majority of the site area to the north and west of the buildings is occupied by car parking areas and comprise a mixture of surfaces, some block paving, some concrete and asphalt surfacing and some concrete paving slabs. There are some brick planters and some scattered, young tree planting (see Appendix 1 – Site Location Plan).

PROPOSAL

9. Outline Planning Permission with all matters reserved except for access is sought for a residential development, with associated open space and community facilities at Tall Trees Hotel, land at former Saltergill School and Rosσμαith Kennels, Saltergill Lane.

10. The main part of the proposal will involve the demolition of the hotel complex along with caretakers building within the grounds of the former Saltergill School and associated buildings of Rosσμαith Kennels, Pasture House, Saltergill Lane.

11. The development proposed is to include up to 330 dwellings of mixed tenure. It is envisaged that the housing scheme will comprise family housing (2-4 bedrooms) and Executive housing (5+ bedrooms) set within a landscaped environment.

12. Vehicular access is proposed from the adjacent public highway with routes to the development area by tree lined avenues incorporating landscaped features. The site is set out on the basis of a number of tree lined avenues with semi-formal squares at the intersections. From these avenues,

link roads and cul-de-sacs service the housing. These secondary accesses will be treated in an informal manner putting an emphasis on landscaping and pedestrian priority.

13. All housing plots will benefit from private parking including garaging to the standards required by the council.

14. The proposed layout also features Public Open Space which will include the following facilities; Football and Cricket pitches; Children Play areas; Potential Allotment plots and Recreational land; surface water ponds (Sustainable Urban Drainage Systems (SUDS))and landscaping.

15. The design takes account of physical characteristics such as the presence of a gas main crossing the site which currently prevents building over the pipeline and easement.

16. Provision of 15% affordable housing is proposed.

17. The housing scheme would also incorporate a number of sustainable measures such as Photovoltaic cells (PV); Rainwater and grey water recovery; Waste water management; Sustainable drainage systems (SUDS); Triple glazed windows and Energy efficient lighting.

18. The existing mounding to the B1264 and around the boundaries to Saltergill School will be removed and replaced with natural tree planting and hedges. This will replicate the character of the existing hedgerows on the main road to the north of the development site as well as providing visual screening and an ecological habitat. The existing wildlife area running in the valley of Saltergill Beck although not within the application site will be enhanced and sympathetic access will be provided to link to existing public rights of way on the southern side of the beck.

19. As part of a reserved matters application a design brief will be prepared to include a restricted but varied palette of materials as well as cohesive landscaping scheme to flow through the site to link the various elements.

THE ENVIRONMENTAL IMPACT ASSESSMENT

20. An Environmental Impact Assessment (EIA) has been prepared on behalf of the applicant to accompany the outline application. The Environmental Statement (ES) has regard to the following environmental considerations and identify the means by which significant adverse effects will be remedied and the findings of the ES are summarised as follows:

Landscape and Visual

21. An indicative layout has been provided which takes into consideration the Landscape Architect's Landscape and Visual Impact Assessment (LVIA). The new housing with its associated landscapes will improve the current environmental qualities as well as providing a richness of vegetation that can be achieved by the combination of landscape structure planting and the diversity provided within private gardens.

Ecology

22. In compliance with national and local policy, the application is supported by a Phase 1 Ecology report prepared by Naturally Wild. This report concludes in the summary that no significant differences were recorded from the initial site assessment some years ago to the present date. Following the completion of the Phase 1 Habitat Survey and Protected Species Risk Assessment in line with the initial objectives, Naturally Wild are confident that the proposed developments on the surveyed area at the site will have no significant impact on either protected species or habitats (statutory and non-statutory) on the application site or in the surrounding area, providing a series of mitigation measures are adopted.

23. The applicant is able to confirm that the mitigation measures set out in the ecology report, which mainly relate to the timing and phasing of works and the preparation of an ecology management plan will be carried out under the supervision of competent persons. As such there are no conflicts with the relevant local and national policies that relate to ecology and/or impact on biodiversity.

Transport

24. Demolition and Construction Effects: The predicted effect of the demolition and construction phase of the Proposed Development has been determined to be less than the predicted peak period movements resulting from the completed development. The magnitude of change is already predicted to be low even without the implementation of any mitigation measures. As the magnitude of change is predicted to be low with or without the implementation of the mitigation measures, there is likely to be a direct, short term residual effect on highway users including pedestrians and cyclists which would likely to be insignificant adverse during peak periods of works on site.

25. Completed Development Effects: The predicted levels of increases in traffic movements are insignificant. Therefore the long term residual effect on highways users including pedestrians and cyclists is likely to be insignificant adverse.

Archaeology

26. The site has little potential for archaeological evidence relating to the mediaeval or later periods. The site has some potential for archaeological evidence of the prehistoric and Romano-British periods. This is, however, compromised by the probable effects of recent land-use: most of the site appears to have been landscaped in the last few decades, in connection with the development of the hotel and its various facilities, and it is likely that this has resulted in some degree of truncation or destruction of archaeological deposits.

27. The site is not particularly suitable for geophysical survey, on account of the extensive areas of hard surfaces and building ranges. Only two areas, in the north western and north-eastern corners of the site, are accessible to this form of prospection, and of these that next to Far End Farm is largely outside the actual development area.

28. The possible impact of the development proposals would best be mitigated by archaeological monitoring (in the form of a 'strip and record' exercise or a 'watching brief') during ground works, carried out to a specification to be agreed with the Local Planning Authority.

29. The proposed development therefore is not considered to not have a detrimental impact on features of archaeological interest and thereby accords with Saved policy EN30 of the Local Plan in this respect.

Flood Risk

30. The FRA concludes that the proposed development has an acceptable flood risk within the terms and requirements of the NPPF.

Noise Impact

31. The Noise Management Plan has detailed the appropriate steps and best practicable means to mitigate the impact of noise emissions from the Site and the continuing occupation of the completed development.

Air Quality

32. An assessment of fugitive dust impacts during the construction phase of the development was undertaken in accordance with the IAQM methodology. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout activities was predicted to be negligible.

33. Potential impacts during the operational phase of the proposed development may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. An assessment was therefore undertaken using dispersion modelling to quantify NO₂ and PM₁₀ concentrations both with and without the proposals. Predicted concentrations were verified against monitoring results from SBC.

34. Impacts on annual mean NO₂ and PM₁₀ concentrations as a result of operational phase road vehicle exhaust emissions were predicted to be negligible at all sensitive receptor locations within the vicinity of the site. The overall significance of potential impacts was determined to be negligible in accordance with EPUK guidance.

Socio-Economic

35. On balance, the proposed development is expected to have a beneficial effect on the socio economic characteristics of the local area including:

- Affordable housing.
- Recreation and open space.
- Employment.
- Sustainable infrastructure.

Land Contamination

36. It is considered that this established site is suitable for the proposed residential use and is deemed uncontaminated land under PART IIA of the Environmental Protection Act 1990.

High Pressure Gas Main

37. As part of the development it is proposed at this stage to upgrade a section of the pipeline to a thick-walled pipe in the vicinity of the proposed development site. These proposals will be subject to detailed consultation with National Grid Gas plc and a final assessment by the Health and Safety Executive. The proposals for this work are generally in line with those agreed for the recently approved Morley Carr development.

CONSULTATIONS

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

Worsall Parish Council

High & Low Worsall Parish Council wish to have placed on record their concerns regarding the totality of developments both approved and applied for in and around the Yarm area with particular regard to the road infrastructure being unable to cope with the high increase in traffic.

Health And Safety Executive

Awaiting final comments Members will be updated at the Planning Committee meeting.

Kirklevington And Castle Levington Parish Council

Kirklevington and Castle Leavington Parish Council object to this application

Wildlife - This high density development would impinge significantly on an important wildlife habitat and part of a national 'network' important to the health of wildlife species, for which there can be NO mitigation. Allowing access via woodland walks would be of further detriment i.e. creeping urbanisation of the countryside.

Traffic implications - The developer of the Tall Trees has stated to Kirklevington Parish Council that the change from the previously approved mix of housing and a hotel to the currently proposed 330 houses will have very little effect upon the traffic along Green Lane. This statement was made on the basis that the traffic levels would be very similar and that the traffic associated with the previous approval has already been included in Stockton Borough Council's traffic modelling.

' Is the traffic statement made by the developer accepted as accurate by Stockton Borough Council? If not what are the traffic figures which Stockton Borough Council is using.

' If the statement is viewed as accurate by Stockton Borough Council how have the figures been arrived at? Please provide a full and complete disclosure of how the traffic figures were assessed for the new development by Stockton Borough Council.

' By the time Stockton Borough Council replies to this request further planning permissions may well have been granted, for instance at Urray Nook. Please disclose the official view of Stockton Borough Council as to the overall effect such new permissions will have on the traffic in the Yarm and Kirklevington area.

Contamination of site - ' The land is a principal aquifer and as such is a source of unpolluted water should the need arise and is protected by the Environment Agency .

' The Environment Agency submission is weak as we presume they do not expect the land to be contaminated. See next point:

' Reference Tall Trees application presence of PAH on site Chapter 9 Land Contamination developer's documents. The following points demand serious consideration:

6.1.5 Benzo(a)pyrene and dibenzanthracene both exceed CIEH (Chartered Institute of environmental health) generic assessment criteria. The boreholes where the highest concentrations exist are in the middle of the site boreholes 3,6a ,7a at 0.3 metres depth. Benzo...carcinogenic in humans, dibenz.....causes mutations in mammals

6.1.6 Borehole 3 elevated concentrations of above needs further sampling but that is to the west of the new hotel buildings on what should be uncontaminated ground.

6.1.9 Concentration of arsenic bore hole 5 dangerous re dust long term exposure.

6.1.1 Made ground, trial pits include asbestos intact onsite material dumped . etc.

7.1.2. Made ground over-steepens bank Saltergill Beck, includes asbestos.(Dumping close to a water course of strategic importance not allowed where is the permission?) result instability. We need comments from the Environment Agency

Also comments from the Environment Agency on the issue of the principal aquifer and any implications this applications will have.

Note archaeology land too messed up for dig but where are previous arch reports as this was farmland and house then small hotel?

Comments regarding the Health and safety report regarding the near location of the gas pipeline .

Future facilities within Parish - If your committee is mindful to agree this application Kirklevington and Castle Leavington Parish Council would wish to be involved with the consideration and provision of any future facilities within the parish. We understand that this could be catered for under the 106 agreement to cover the financial provision and future maintenance of such facilities.

Sport England

I write with regard to the above proposal following further consultation on amendments to the indicative site plan (drawing no. 1017/0011K.

The amendments show the applicant's intention that the proposed playing field and (and its pitches) would be served by a pavilion.

Sport England's previous response raised an objection to this application since it did not make suitable provision to meet its residents needs in respect of built sports facilities. Following discussion with both the applicant and the Council's Leisure Services staff it has been agreed that this requirement would be best discharged by further enhancing the development's on-site sports pitch offer.

As such the indicative drawing now shows a changing pavilion / club house building. The exact design specification for the building has yet to be determined but the value that Sport England would place on the building is such that we are satisfied that the application now makes sufficient provision for sport to meet the needs it generates.

As such it is now considered that the proposal now meets the following planning policy objective;

PLANNING POLICY OBJECTIVE 3 Provide new facilities to meet demand

Sport England seeks to ensure that communities have access to sufficient, high quality sports facilities that are fit for purpose. Using evidence and advocacy, we help to guide investment into new facilities and the expansion of existing ones to meet new demands that cannot be met by existing provision.

In light of the above I am satisfied that Sport England's objection can now be withdrawn.

I trust you will put appropriate phasing details into the planning approval to ensure that the proposed sports facilities are provided at the right time within the overall project.

The proposed pavilion building should be designed in accordance with Sport England's design guidance notes which can be viewed at;

<http://www.sportengland.org/media/30956/Pavilions-and-clubhouses.pdf>

Whilst the proposed playing field and pitches will need to accord with our design guidance Natural Turf for Sport, which can be viewed at;

<http://www.sportengland.org/media/30865/Natural-turf-for-sport.pdf>

We would request consultation on the reserved matters to ensure that the design and specification of both the playing fields and the pavilion is in accordance with our design guidance.

Thank you once again for consulting Sport England. We would be grateful if you would advise us of the outcome of the application by forwarding a copy of the decision notice.

Awaiting final comments

The Ramblers Association

We thank the Council for consulting the Ramblers on the above application.

We have no objection to the development, but would urge that the woodland path alongside Saltergill Beck be dedicated as a Public Right of Way together with the links to the estate and Kirklevington footpaths 3 and 4.

Stockton Police Station - Eddie Lincoln

There is no mention of security considerations in the Design and Access statement. If the development is to go ahead, consideration must be given to applying Secured By Design principles. Good design must be the aim of all those involved in the development process and

should be encouraged everywhere. Current government planning policy strongly supports this principle and makes clear that community safety is an integral part of the design agenda.

Designing out crime is controlling space so that users of an area develop a sense of ownership over it and other people are deterred from entering. This is done by:

Controlling access and creating a perception of risk to the offender
Target hardening
Making the most of natural surveillance or observation.

The 7 main good design principles that must be incorporated are:

Access and Movement - Places with well defined routes, spaces and entrances that provide for convenient movement without compromising security.

Structure - Places that are laid out so that crime is discouraged and different uses do not cause conflict.

Surveillance - Places where all publicly accessible spaces are overlooked.

Ownership - Places that promote a sense of ownership, respect, territorial responsibility and community.

Physical Protection - Places which include necessary, well designed security features.

Activity - Places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.

Management - Places that are designed with management and maintenance in mind to discourage crime in the present and in the future.

Further information and advice can be sought from www.securedbydesign.com Secured by Design SBD New Homes.

National Grid Transmission Asset Protection Team

The development has a National Grid High Pressure Gas Pipeline running through the middle of the proposed development site. In order to comply with Land Use Planning rules, the pipeline needs to be diverted in Heavy Wall Proximity pipe, to reduce the BPD (Building Proximity Distance) and consequently the Consultation Distance of the pipeline, which will reduce to 3 metres for the extent of the diverted section. We therefore need written confirmation from the developer of the site, that they will agree to wholly fund the diversion of the pipeline and provide a new route for the diverted section within their site land take.

Natural England

Thank you for your consultation which was received by Natural England on 14 October 2013. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England's comments in relation to this application are provided in the following sections. Statutory nature conservation sites – no objection
Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.
Protected species Bats Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development is likely to

affect bats through disturbance of a European protected species and the damage or destruction of a breeding site or resting place. We are satisfied however that the proposed mitigation is broadly in accordance with the requirements of the Bat mitigation guidelines and should maintain the population identified in the survey report.

We recommend that a condition to secure the following should be appended to any consent: Prior to the commencement of any works which may affect bats and or their habitat, a detailed mitigation and monitoring strategy should be submitted to, and approved in writing by the local planning authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing. All species of bat are European Protected Species. A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided through avoidance (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development. Natural England's view on this application relates to this application only and does not represent confirmation that a species licence (should one be sought) will be issued. It is for the developer to decide, in conjunction with their ecological consultant, whether a species licence is needed. It is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice we have provided on likely impacts on favourable conservation status and Natural England's guidance on how we apply the 3 tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) when considering licence applications.

Otters and Great Crested Newts

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect otters and great crested newts.

For clarity, this advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the impacts to protected species.

We have not assessed the assessment for badgers, barn owls and breeding birds¹, water voles, white-clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures. The advice we are giving at the present time relates only to whether, in view of the consultation materials presently before us (including with reference to any proposed mitigation measures), the proposal is likely to be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range (i.e. the 'Favourable Conservation Status' test). We have not considered whether the proposal satisfies the three licensing tests or whether a licence would be issued for this proposal. This advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the protected species.

Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient

information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

Tees Archaeology

Thank you for the consultation on this planning application.

The developer has submitted an archaeological desk based assessment which I have read. This suggests that there is some archaeological potential in the area for prehistoric and Romano-British archaeology. It would be normal to recommend further field evaluation in this circumstance (NPPF para 128), however there are a number of reasons why this would not be appropriate in this instance.

The majority of the development can be considered a brown-field site. The hotel facility, its landscaped grounds and car parking are likely to have destroyed the types of archaeology expected if they were present.

The area to the west of the hotel appears to have been quarried, perhaps stripped of topsoil and clay during the construction of the hotel to level up the ground and provide the earthwork bund around the development. This activity is likely to have destroyed archaeological deposits.

The paddock of land to the east of the hotel contains a high pressure gas main. The installation of this will have damaged archaeological deposits and its presence precludes development in this area in any case.

The site can be assumed to have a low archaeological potential given previous historical activity (i.e. the construction of the hotel etc in the second half of the 20th century). I do not think there would be any benefit in further archaeological evaluation and on the basis of the available evidence I do not recommend any further archaeological work during the development.

Durham Tees Valley Airport

DTVA has no objection however the site is less than 6km from DTVA we would require notification of any crane activity at the site for both demolition and the building of the houses.

Head of Technical Services

General Summary

The proposed development is for a residential development of up to 330 dwellings replacing the existing Tall Trees Hotel and nightclub. The development site has planning consent for an extension to the Tall Trees Hotel and 143 dwellings (11/0549/OUT).

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

This report has been updated following the submission of a revised indicate layout (drawing number 1017/011L) and an additional plan of the second access (drawing number 13013/02).

Highways Comments

Overview

The proposed development is for a residential development of up to 330 dwellings replacing the existing Tall Trees Hotel and nightclub. The development site has planning consent for an extension to the Tall Trees Hotel and 143 dwellings (11/0549/OUT).

This report has been updated following the submission of a revised indicate layout (drawing number 1017/011L) and an additional plan of the second access (drawing number 13013/02).

Access

The application is in outline with all matters reserved except for access.

The development would be accessed from the B1264 Green Lane to the south. The existing access into the site would be retained and a second access into the site would be formed to the west of the existing access.

The B1264 is currently subject to 60mph speed limit. As part of the nearby Morley Carr Farm development (12/0980/OUT) there are plans to reduce the speed limit on the B1264 to 40mph to a point approximately 100m west of the existing Tall Trees site access. The Transport Assessment (TA) notes that the site frontage would therefore be subject to a 40mph, however the alterations to the speed limit do not apply along the full length of the site and the new western access proposed as part of this development would be located within the 60mph limit.

On a 60mph speed limit road, the access would need to achieve a 2.4m x 215m visibility splay. The proposed western access would be located close to a bend on the B1264 so the visibility splay required for a 60mph speed limit may not be achievable. If the visibility splay cannot be achieved, it would be recommended that the speed limit be reduced to 40mph along the full frontage of the site (to the west of the junction with Saltergill Lane). At this speed a reduced visibility splay of 2.4m x 120m would need to be provided. Drawing number 13013/02 shows a 2.4m x 120m visibility splay in both directions from the proposed western access. However, the visibility splay looking east requires the driver to look over their shoulder as a bend in the road results in some of the visibility splay being behind the driver. It is recommended that the design be amended so the access road meets Green Lane at (or close to) an angle of 90 degrees.

As previously noted, as approval is being sought at outline stage for access, confirmation is required prior to determination of the application that a safe second access into the site can be delivered as it may alter the layout of the site.

A reduction in speed limit to 40mph would require speed reducing features to alter the characteristic of what is currently a rural road. This reduction in speed limit to 40mph would need to form part of the Section 278 Agreement with the Highway Authority. The applicant has suggested that the speed limit should be reduced further to 30mph however given that the road is currently rural in nature with limited frontage, it would be difficult to introduce sufficient speed reducing features to reduce vehicular speeds / make the limit enforceable. It is therefore recommended that the speed limit be reduced to 40mph and consideration may be given in future years to reduce the limit further once the development is built out and street lighting installed; changes that may result in lower average speeds and make a 30mph speed limit feasible.

Street-lighting is to be extended on the B1264 Green Lane to Allerton Balk as part of a neighbouring development (application number 12/1990/EIS) and it is recommended that if this development is approved, street-lighting should be extended to the western boundary of the site on at least one side of the carriageway. The provision of street-lighting along the site frontage would not only improve conditions at the access junctions but also improve conditions for pedestrians and cyclists travelling from the site to destinations to the east, including the sustainable transport connections at the nearest bus stops and railway station. A street-lighting scheme should be agreed with the Highway Authority and delivered as part of a Section 278 Agreement.

No obstructions should be permitted within the visibility splay of the access junctions to ensure vehicles can emerge from the site safely. If the application is recommended for approval, a Stage 1 Road Safety Audit should be conditioned and approved to confirm the new western access junction is acceptable, notwithstanding that amended plans are requested prior to determination to improve the visibility splay looking east from the proposed access.

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

Access to Areas of Open Space

A revised indicative site layout plan has been provided (drawing number 1017/011L).

Two areas of open space are proposed within the site, located on the east and western boundaries. The open space to the east includes a number of footways that provide a route around the park and play area. As this development must provide safe connections to neighbouring areas and facilities (including bus stops, rail station and local schools) it is recommended that this could be achieved by incorporating a footway / cycleway through this area to connect to the B1264 Green Lane. The consented development on the site was subject to a contribution to provide a 3m footway/cycleway from the existing site access to Allerton Balk, where it crossed Allerton Balk and provided a connection through the existing boundary into the Layfield estate (see Figure 1 overleaf). As the Morley Carr development opposite has been granted consent, a desire line is anticipated to be from the east of this site to the Morley Carr development opposite rather than from the existing Tall Trees site access. It was therefore recommended that rather than provide a length of footway/cycleway along the B1264 as shown on Figure 1, the connection would be a more attractive route by incorporating it through the eastern open space and crossing the B1264 at a suitable location to the west of the proposed vehicle access into Morley Carr. This has been incorporated into the revised layout with the connection shown linking the internal network with the proposed crossing location on the B1264. The development would be responsible for providing the footway / cycleway through the eastern open space to connect to the crossing point on the public highway. Agreement on the internal layout and the provision of this footway / cycleway would be subject to a Reserved Matters application.

A pelican crossing is considered appropriate for this location to facilitate pedestrians, particularly children, crossing the B1264 to access schools and other services to the north. However, until 100 units are occupied on this site, it may be appropriate to provide an uncontrolled crossing with a pedestrian refuge on the B1264 to facilitate pedestrians and cyclists crossing the road. This would

require some widening of the carriageway to accommodate the refuge. The contribution for the pedestrian refuge should be provided prior to occupation of development and the pelican crossing prior to occupation of 100 units as previously noted. There should be return date for the contribution as build out program for residential units cannot be conditioned. The road is currently rural in nature and therefore the later introduction of the pelican crossing is considered CIL compliant.

A budget estimate for the remainder of the works outside the site is currently being developed and the information will be provided to the applicant in order to review and agree the Heads of Terms prior to planning committee.

The western area of open space includes football pitches, garden plots and a club house. A car park has been illustrated to serve these facilities and a Reserved Matters application for the layout would need to demonstrate a sufficiently sized car park could be provided to serve these facilities to ensure visitors do not park within the residential areas to the inconvenience of future residents. The internal layout would be subject to a Reserved Matters application but it was previously recommended that vehicle access to these facilities be provided through the site, rather than relying solely on Saltergill Lane for access to these facilities. Saltergill Lane is narrow in sections and the Highway Authority would not support the intensification of use of this road without substantial improvements. The revised layout incorporates a connection through the site and removes access from Saltergill Lane; these revisions are acceptable.

Development Layout

The development should be designed and constructed in accordance with the Councils Design Guide and Specification (SBC, 2011) and in accordance with Manual for Streets (DfT, 2007) guidance. An indicative layout has been provided with the detailed layout subject to a reserved matters application.

The internal roads must be a minimum of 4.8m wide and a 2m wide footway should be provided on both sides of the carriageway. The layout must be linked to neighbouring areas. The Section 106 Agreement for the previous application (11/0549/OUT) included a contribution (£154,000) towards footway and cycleway connections on the B1264 Green Lane to Yarm Railway Station, Conyers School and Yarm High Street. Since 2011 two nearby residential developments have been approved and each includes obligations to ensure there are sustainable connections from the sites to the surrounding area. The level of contribution from this site could therefore be reduced accordingly if other developments precede commencement of this development. It is also recommended that this development incorporates part of the footway / cycleway connection into the area of eastern open space to ensure the sustainable link is located on what is anticipated to be a key pedestrian desire line between this site and the residential estates opposite. If the other developments do not come forward, the obligation must remain on this site to provide a footway and cycleway connection to Yarm Railway Station, Conyers School and Yarm High Street. As outlined earlier in the report, the budget estimate for this link is currently being revisited.

Car and cycle parking must be provided for each dwelling in accordance with Supplementary Planning Document 3: Parking Provision for New Developments (SBC 2011). Confirmation would be required that all properties can achieve the requisite standards and each incurtilage parking space should be 6 metres in length to ensure that parked cars do not overhang the footway. In accordance with the parking standards, a garage would only be counted as a parking space if it meets the minimum internal dimensions of 6m x 3m. A Reserved Matters application for the layout of the site would require information on refuse collection and storage along with autotracking of large vehicles around the site.

A Construction Management Plan should be secured by condition if planning consent is granted in order to ensure that construction works would not have a detrimental impact on the highway.

The applicant would need to enter into a Section 38 Agreement for the highway and footpaths which would become highway maintainable at the public expense.

Trip Generation

A Transport Assessment has been submitted in support of the development. To forecast the highway impact, the trip rates derived for the Morley Carr Farm residential development (application ref 12/0980/OUT) have been applied. These trip rates were determined from surveys of the existing Layfield Estate and the approach of using a local site is acceptable. However, it was advised to the applicant that Stockton Council had recently agreed a higher residential trip rate for a nearby residential development and for robustness the assessment should review these higher rates. The higher residential trip rates have also been used in the Morley Carr Farm assessment when assessing the impact at critical junctions on the local highway network (including the Green Lane / A67 roundabout and Crathorne Interchange).

Based on the higher residential trip rates, the current proposal (for 330 dwellings) would generate 242 vehicular trips in the AM peak and 281 trips in the PM peak. Based on the lower residential trip rates derived from the Layfield Estate, the current proposal would generate 184 trips in the AM peak and 206 trips in the PM peak. This is detailed in Table 1.

Table 1 Vehicle Trip Estimates

| | Low Rate | | High Rate | | Low Rate | | High Rate | |
|--------------|----------|-----|-----------|-----|----------|-------|-----------|-----|
| | IN | OUT | TOTAL | IN | OUT | TOTAL | IN | OUT |
| AM Peak Hour | 58 | 80 | 126 | 162 | 184 | 242 | | |
| PM Peak Hour | 131 | 163 | 75 | 117 | 206 | 281 | | |

As the site has an existing use (hotel and nightclub) it is reasonable for the assessment to remove some trips from the network associated with these uses. Although the hotel has now closed, it could be re-opened and generate trips on the network. Based on hotel trip rates derived from TRICS, the assessment removes 78 trips in the morning peak and 59 trips in the evening peak. Based on the worst case scenario (higher residential trip rate) this means the current proposal for 330 houses would generate 164 extra trips on the network in the morning peak and 222 in the evening peak hour (or 106 in the morning / 147 in the evening based on the lower trip rate). This is shown in Table 2.

Table 2 Net Change in Vehicle Trips (removal of hotel use)

| | Low Rate | | High Rate | | Low Rate | | High Rate | |
|--------------|----------|-----|-----------|-----|----------|-------|-----------|-----|
| | IN | OUT | TOTAL | IN | OUT | TOTAL | IN | OUT |
| AM Peak Hour | 19 | 41 | 87 | 123 | 106 | 164 | | |
| PM Peak Hour | 98 | 130 | 49 | 91 | 147 | 222 | | |

The consented development would generate 184 trips in the morning peak hour and 189 trips in the evening peak hour as shown in Table 3.

Table 3 Consented Scheme Vehicle Trips

| | IN | OUT | TOTAL |
|--------------|-----|-----|-------|
| AM Peak Hour | 71 | 113 | 184 |
| PM Peak Hour | 122 | 67 | 189 |

Based on the lower trip rate, derived from a nearby estate, the difference between the consented scheme and the proposed scheme would be minimal (0 in the morning peak / 17 additional trips in the PM peak). Based on the higher trip rate the difference between the consented scheme and the proposed development would be 22 trips in the morning peak hour and 92 trips in the evening peak hour. During the evening peak residential dwellings would be expected to have more of an impact than a hotel use; hence the greater increase in trips as a result of the hotel being replaced by residential dwellings.

Highway Impact

The TA only assesses the impact of the development traffic at the site access junctions and shows that they would operate within capacity. No further junction assessments have been undertaken as it suggests that the minimal difference in trips compared with the consented scheme does not require any other junction capacity assessments. However, the consented scheme was approved in 2011 so the baseline conditions will have changed. Rather than request additional assessments by the applicant, Technical Services has recently developed a transport model for the local highway network to assess the impact of this development and others locally. The model is referred to as the Yarm and Ingleby Barwick AIMSUN Model (YIBAM).

Committed development traffic has been included in the transport model and this includes the consented Tall Trees development. The traffic assigned within YIBAM to the Tall Trees site is shown in Table 4.

Table 4 Tall Trees Traffic in Transport Model

| | IN | OUT | TOTAL |
|--------------|-----|-----|-------|
| AM Peak Hour | 52 | 130 | 182 |
| PM Peak Hour | 101 | 50 | 151 |

As shown in Table 2, YIBAM already assumes that the Tall Trees site will generate an additional 182 trips in the morning peak and 151 trips in the evening peak (no trips have been removed from the base to account for the hotel use). In the morning peak therefore the transport model includes more trips for the site than the current development forecasts (182 trips compared with 164 trips based on the higher trip rate).

The outputs from YIBAM, presented for a recent neighbouring development on Green Lane (12/1990/EIS – refer to Updated Forecasting Report, published May 2013), show that the network operates within capacity during the morning peak in the committed base.

In the evening peak the houses have more of an impact than the hotel and the trips in the model are less (151) than the new development is forecast to generate based on the higher trip rate (222) or about the same based on the trip rate derived from the Layfield Estate (147). The transport model shows that the committed base operates within capacity in the evening peak and the addition of a maximum 71 two-way trips in the evening peak, based on the higher trip rate, is unlikely to alter the model outputs significantly. The evening peak generally has less traffic on the network as the school peak and commuter peak do not coincide (unlike the morning peak). Given that the committed base operates within capacity during the morning peak it is reasonable to assume that even based on the worst case scenario, the network would continue to operate within capacity in the evening peak.

The development is considered within the YIBAM, and the results show that the development can be accommodated on the network providing that the increase in traffic through Yarm is fully mitigated. On this basis, there are no reasonable grounds to object to the development on traffic impact. The concerns of local residents are appreciated in respect of what they perceive and experience as congestion at peak times of the day. Nevertheless, this development has a consent that could be implemented that would generate similar levels of traffic to that proposed. The evidence from YIBAM does not suggest that this development would have such a severe impact on the network to warrant a highway objection. In terms of the National Planning Policy Framework and the capacity of the highway, the additional traffic that would be generated by the proposed development would not be sufficiently harmful to make the planning proposal unacceptable.

Highway Safety

Whilst the TA considers highway safety and concludes that there are no inherent highway safety concerns it is the opinion of the Head of Technical Services that the proposed new western access

junction could present a safety issue unless the speed reduction measures are provided and that a safe access can be delivered. The visibility splay from the proposed new access looking east requires the driver to look over their shoulder and it has been recommended that revisions be made to design out this issue.

Impact on Yarm High Street

The TA does not identify the impact of the development on Yarm High Street. Any increase in traffic through Yarm is considered to have a material impact and would require mitigation. It is anticipated that some future residents of the proposed development would use the facilities in Yarm as it is the nearest local service centre. Developments that generate demand on the High Street are asked to contribute towards car parking solutions for Yarm High Street.

The existing planning consent on the site (11/0549/OUT) requires the development to contribute £100,000 towards improvements to parking in Yarm. This obligation should remain but given that the change from hotel use to solely residential use would alter the travel characteristics of the site, the demand for parking in local service centres is likely to increase. Based on a formula applied to other local developments (0.046 spaces per dwelling) the development would need to provide 15 off-street car parking spaces to accommodate the anticipated increase demand for parking in the High Street. If the applicant cannot deliver this car park then an alternative financial contribution towards a Local Authority operated public car park to serve Yarm High Street could be provided. Based on an estimated cost per space of £9,166.67 the contribution for a residential development of this size would amount to £137,500.

Sustainable Travel

The site is remote from the local bus service network but the site benefits from a rail station within 1km. The development must, as a minimum, provide a safe pedestrian route from the site to nearby bus stops and the rail station to provide sustainable connections. As noted earlier in the report, the connection would benefit from street-lighting which would encourage use of the walking and cycling route at all times of day.

The development should also provide incentives for residents to travel by bus and rail and these incentives should be included within the Travel Plan welcome packs. This should include funding, at a minimum of £100 per dwelling, towards initiatives to promote sustainable modes. The Travel Plan Coordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive.

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

- Contact details for the Travel Plan Coordinator (TPC);
- Timescales for the Travel Plan Coordinator to be in place for (minimum of 5 years);
- Modal split targets and measures to achieve these targets, which must be SMART: Specific, Measurable, Achievable, Realistic and Timebound;
- Details of an exit strategy of how the Travel Plan will be continued once the TPC has left the site (e.g. a community travel plan forum/group established);
- Details of the welcome/marketing pack that is to be given to buyers/occupiers, including any electronic media (e.g. webpage);
- Details of when the baseline travel plan survey is to be undertaken and then subsequent travel plan surveys;
- Details of the Home Users Guide (Welcome Pack) – this should include incentives to encourage occupiers to use sustainable modes of travel (for example -public transport discount vouchers, local cycle shop discount vouchers, home delivery shopping discount vouchers etc.) – the minimum value should be £100 per dwelling;.
- The Travel Plan Coordinator would also be encouraged to contact car club operators to investigate the feasibility of providing a car club at this development.

As part of previously approved applications for this site a contribution was secured for provision of a cycleway along Green Lane. This development should still provide an improved cycle/footway connection to Yarm Rail Station – either in its entirety or connecting to the link provided by neighbouring approved applications depending on which development progresses first. This provision should include improvement to the street-lighting network in order to provide a safe walking/cycling route along Green Lane.

The nearest bus stop to this development with a regular bus services is on Davenport Road, approximately 750m walking distance from the development which is beyond the recommended 400m walking distance. A safe route to the bus stops is therefore imperative and the Travel Plan Coordinator must promote and encourage the use of bus transport through the Travel Plan – especially through the welcome pack incentives.

Highways Summary

The site has an existing planning consent which has previously been tested in YIBAM. The model outputs confirm that the highway network in the committed base scenario operates within capacity. The impact of this development on the local highway network has been assessed and the results show there is no justification to object to the development on highway grounds.

Subject to the concerns about the new western access junction being addressed, and the necessary mitigation being implemented as outlined in this report, the Head of Technical Services would have no highway objection to this development.

A summary of the mitigation is as follows:

- The provision of a 3m wide footway / cycleway between the site and neighbouring areas, including the provision of suitable crossing facilities. The budget estimate for these highway works is currently being updated;
- A contribution towards the provision of a pelican crossing on the B1264 Green Lane if future demand necessitates improvements for pedestrians, particularly school children, crossing the road;
- A reduction in speed limit on the B1264 from 60mph to 40mph;
- The extension of street-lighting from Allerton Balk to the B1264 / Saltergill Lane junction;
- A vehicular access from within the site to the proposed community facilities in the western area of open space;
- The provision of an off-street car park close to Yarm High Street (or £137,500 financial contribution); and
- The provision of a £100 travel plan incentive per dwelling.

Landscape & Visual Comments

The following landscape and visual comments are made regarding the submission of plans for 330 no. dwellings:

Illustrative Masterplan (Indicative site layout plan ref 1017/011J)

The principle for the residential use of this site was established through previous planning consents but in this application the hotel and its infrastructure is now included in the indicative Masterplan for redevelopment following its recent closure. This application consists of up to 330 dwellings comprising family housing (2 - 4 bedrooms) & Executive housing (5bedrooms plus). Allowing for the proposed additional housing area on the hotel footprint this development follows a similar concept in area to the plan put forward as part of the outline planning application ref 11/0549/OUT.

A total of 4.1 hectares of Public Open Space (POS) is provided on the former Saltergill school site (comprising a recreation area and community garden) and on the eastern edge of the site next to Far End Farm (comprising a play area within a park). A high pressure gas pipeline crosses the eastern open space and allowance must be made for this in the design.

Layout

The indicative proposal illustrates houses within a landscaped setting. The primary roads are lined with street trees within a grass verge and with semi-formal squares at the road intersections. A landscaped footpath corridor crosses the middle of the site. Another landscaped footpath corridor runs along the northern site boundary forming a buffer between the housing and the road (B1264). Much of the existing boundary hedging is retained and supplemented with new native hedgerows on the northern edge of the site and on the eastern boundary. Existing woodland, (part of Black Plantation and Saltergill Plantation), just south of the site lies within the applicant's ownership following Saltergill Beck. Footpath links are planned from the housing development into this woodland where informal footpaths are proposed that link up to existing public right of ways (PROW) to the south;

A parameters plan will be required to identify all areas on POS including areas and typologies. It is noted that the breakdown of house types has not provided and this is requested so that the open space provision as part of the PPG 17 Contributions Calculator can be calculated.

Garden Plots (Allotments); these are located in the south west corner of the site next to the recreation area. A pylon is located within the plots and the design of the allotments should allow for and take account of all requirements relating to the easement. These should be in accordance with the following national grid guidance available at:

<http://www.nationalgrid.com/NR/rdonlyres/98636F39-F2AF-4D9B-9D9E-A1366AB73B8A/1154/ASopCreatingDesignGuidelines.pdf>

If the developer wished to transfer the allotments to the council then the design must adhere to the councils style guide and council agreed specifications:

Play Areas:

The west and east open spaces plan ref 714/LA3 shows the layout of the play areas with one fenced play area (presumed to be a play area for older children) in the eastern part of the site and a smaller toddlers play area in the western part. A square shaped recreation area is provided in the south west part of the site and includes a senior and junior football pitch combined with a cricket square. Notwithstanding the open spaces plan a condition should be added to any recommendation for approval that requires the reserved matters application to be laid out in accordance with the Open Space, Sport and Recreation Supplementary Planning Document-(SPD) <http://www.stockton.gov.uk/documents/ert/planning/spatialplanning/openspacespd/OpenSpaceSPD.pdf>.

This SPD provides the applicant with the methodology of how to allocate the space for open space provision. In addition further details are contained in the Stockton Borough Council's own 'Design Guidance Notes for the Installation of New Play Areas' – available on request. Buffer zones of 30m minimum depth would be required between the play area activity zones and the boundary of the nearest residential property. This is likely to require the final locations of both the fenced play area and the toddlers play areas to be revised as they appear to be close to proposed dwellings and the fenced play area also seems close to the existing Far End Farm. It is preferred that the toddlers play area is located close to the main fenced play area for maximum use. The play areas should remain broadly square in shape with good access and the potential for good natural surveillance. It is also noted that the fenced play area is located near a pond and this is not recommended for health and safety reasons.

It is noted that the square shaped recreation area that is to be provided in the south west part of the site that allows for football and cricket is located underneath the pylon cables. Any play area under or adjacent to Pylons should comply with safety standards as set out in the previously mentioned National Grid best practice guide. The revised layout plan (drawing number 1017/011L) shows the location of a car park and clubhouse in the space previously occupied by a pond and

part of the allotments area. There are no landscape objections to this as the majority of the allotments are retained and a further small extension south is possible and it is preferred that the ponds are moved to the southern edges of the site as highlighted in the SUDs section below.

For proximity of any play area to roads consideration should be given to appropriate fencing, gates and barriers that need to be provided.

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

Planting Strategy

This consists only of notes on the landscape structure plan ref 714/LA2 as general guidance for the site. The use of native planting around the development site edges will provide a good buffer for this rural fringe site where it meets the surrounding countryside. This would be of particular value where the development meets the existing woodland to the south where the use of wildflower meadows could also be explored. Native hedges within the site would also provide useful green links into the estate. The use of avenue trees along the main primary routes would enhance the visual amenity of the main road corridors. The use of fruit and nut trees along the landscaped central footpath corridor should be carefully considered with possible issues of falling fruit onto paths for example – such trees would be better located in the open spaces away from the houses. Additional landscape layout recommendations are contained in the previously mentioned National Grid best practice guide. Landscape details would be required to be conditioned.

Street Trees within the Adopted Highway:

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

Sustainable Urban Drainage (SUD's):

Three balancing ponds are planned within the layout with the one to the south of the housing area being an upgraded existing pond. It is presumed these ponds will form part of SUD system for the development but there are few details regarding their actual purpose. In fact there is a significant discrepancy between the illustrative landscape sketch which indicates water bodies and the WSP Surface water management plan that indicate attenuation tanks. As noted in the play area section above no balancing ponds should be located near an area used for play and it is considered these ponds should be moved to the southern edges of the site near the woodland that would also enhance their potential wildlife value. The areas of SUD even if the basins are not always wet attenuation basins are excluded from the POS provision than must be provided for the development proposals. Further detail on SUDs is provided in the Flood Risk Management section below and the previously mentioned National Grid best practice guide.

Maintenance

The POS including areas with play equipment and any balancing ponds (SUDs) will have be maintained and managed in perpetuity. This may be through Title Transfer to SBC or through a management company or other appropriate organisations as deemed acceptable by the LA if not transferred to SBC. Perpetuity in terms of the long term management proposals for the POS is 25 years. Details would be required to be conditioned.

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

Hard Landscaping, Street Furniture, Lighting and Enclosure

As part of any reserved matters application details of enclosure would have to be agreed. However it is worth noting that enclosure facing adopted highways must be constructed of brickwork. Hard

landscaping, Street Furniture including Lighting and Enclosure details would be required to be conditioned.

Public Art

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

Ground Levels

Details of existing and proposed levels would need to be demonstrated, such as relating to creating level areas for play provision including ball games, swales and ponds that form part of the SUDs and its relation to existing trees. This requirement would need to be conditioned.

Existing Site Trees

No tree survey has been submitted with this report. The landscape structure plan however refers to the retention of existing trees within the landscape framework of the development. Therefore a tree survey together with a Tree Protection Plan and Arboricultural Method Statement need to be conditioned to any recommendation for approval.

Build Environment Comments

The outline design suggests a street at the heart of the layout. How this street is designed and houses presented to the street will be fundamental to the sense of place of the new development. Good examples of how a street can be designed that incorporates the necessary surface water management can be found at Upton, Northamptonshire.

http://www.northampton.gov.uk/site/scripts/download_info.php?downloadID=332

This site has been built out and street view images are available via Google Earth/Streetview.

Additional design guidance can be found on the National Grids web sites.

<http://www.nationalgrid.com/NR/rdonlyres/98636F39-F2AF-4D9B-9D9E-A1366AB73B8A/1154/ASopCreatingDesignGuidelines.pdf>

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=6175>

Environmental Policy

There are no objections subject to the provision of a clear statement of how Core Strategy Policy 3 (CS3 – Sustainable Living and Climate Change) is to be met including confirmation that Code for Sustainable Homes Level 4 can be achieved. Details are also required of the proposed renewable energy provision including details of the approach to meet the 10% embedded on-site renewable energy supply.

Details of the proposed means of achieving carbon reduction are required as part of a reserved matters application.

Flood Risk Management

The majority of the proposed development site is situated within Flood Zone 1 however the southern boundary of the site is situated within flood zone 2 and 3 where it lies adjacent to Saltergill Beck.

The development must not increase the risk of surface water run-off from the site or cause any increased flood risk to neighbouring sites. Any run-off must not exceed pre-development rates. Any increase in surface water generated by the development or existing surface water / groundwater issues on the site must be alleviated by the installation of a suitable drainage system within the site. The Council supports the use of sustainable drainage systems.

Full design details of the surface water drainage scheme and calculations showing how the drainage system performs in a 1 year, 30 year and 100 year storm event and again over the same periods with a 30% allowance for climate change are required. Calculations using the WinDes Software (Micro Drainage) are preferred.

Saltergill Beck is a Main River and therefore any discharge of surface water to this watercourse will require consent from the Environment Agency.

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.

Light Intrusion

Adequate screening shall be provided to protect residential properties from light intrusion from the development. The lighting provided shall be arranged so as not to shine directly towards any dwelling and shall be shielded to prevent light spillage beyond the boundary of the property.

Open burning

No waste products derived as a result of carrying out the construction hereby approved shall be burned on the site.

Construction Noise

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

Unexpected land contamination

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

Site Waste management Plans

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

Northern Gas Networks

No objection and standards mains records shown.

Northumbrian Water Limited

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 we have the following comments to make:

The applicant has made a pre-development enquiry to Northumbrian Water which we responded to on 6th August 2013. In this response we stated that no surface water will be allowed to drain into Northumbrian Water sewers. The document entitled 'Flood Risk Assessment' submitted with the planning application reflects this comment and states that all surface water discharge from the site will need to be directed to an outfall on the Saltergill Beck. We would therefore request that the Flood Risk Assessment form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

The pre-development enquiry response also stated that foul flows could drain at an unrestricted rate into the 300mm diameter foul sewer at manhole 0601.

However, the planning application does not provide sufficient detail with regards to the management of foul water from the development for NWL to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

Highways Agency

No Objection

Spatial Plans Manager

Thank you for consulting the Spatial Planning team on this application. As you will be aware section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission be determined in accordance with the Development Plan unless the material considerations indicate otherwise.

This response focuses on the key spatial, housing and economic planning policy issues which relate to the application.

The Development Plan - overview

The development plan currently comprises the following elements:

Stockton-on-Tees Core Strategy LDD (March 2010),

Saved policies of the Stockton-on-Tees Local Plan (1997)

Saved policies of the Local Plan Alteration Number One (2006), and

The Tees Valley Joint Minerals and Waste LDD (September 2011).

The application site is outside the defined limits to development but does not have any landscape designation.

All of the policies which are relevant to this application are referenced at appendix A and these policies are discussed where relevant throughout this response.

The proposal

The application site comprises the Tall Trees Hotel, part of the former Saltergill School and Rossmaithe Kennels at Pasture House, Saltergill Lane. Part of the application site (the curtilage of Tall Trees Hotel and part of Rossmaithe Kennels) has an extent planning consent for residential development (143 dwellings) and an extension to the hotel complex. The application was granted as enabling development in the context of enhancing the hotel offer.

This application proposes to demolish the hotel and extend the footprint of the existing planning permission through the inclusion of part of the former Saltergill School in order to increase the number of dwellings to 330.

The principle of development

The principle of development on the greater part of the site has already been established in relation to the existing planning consent. However, this was specifically in relation to enabling development. The applicant contends that it is not viable to proceed with the hotel extension even in the context of the enabling residential development. I do not consider that the principle of development has been established in relation to this proposal as no enabling development rationale is advanced.

The National Planning Policy Framework (NPPF)

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

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

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

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

Achieving sustainable development and core planning principles

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

The NPPF states that a set of core land-use planning principles should underpin both plan-making and decision-making. Included in these principles are that planning should „take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it“. No specific environmental harm has been identified as likely to arise from the proposal.

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

The supply of deliverable housing land

The five year housing supply assessment for Stockton-on-Tees is updated annually using a base date of 31 March. The Council has produced a report entitled „Five Year Deliverable Housing

Supply Final Assessment: 2013 – 2018". The Report concludes that the Borough has a supply of deliverable housing land of 3.96 years.

The five year supply assessment is also being updated every 3 months on a trial basis. The second quarterly update uses a base date of 30 September 2013. The report entitled „Five Year Deliverable Housing Supply Final Assessment: 1st October 2013 to 30th September 2018 (2nd quarterly update report)" concludes that the borough has a supply of deliverable housing land of 4.23 years.

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

The application is contrary to points 2 and 3 of Core Strategy Policy 1 - The Spatial Strategy and to Core Strategy Policy 7- Housing Phasing and Distribution. However, relevant policies for the supply of housing are not up-to-date if the authority cannot demonstrate a five year supply of deliverable housing sites. Other policies in the development plan that are relevant to the application remain up-to-date and are referenced in these comments.

When assessing paragraph 14 of the NPPF, weight should also be given to saved development plan policies, which do not deal with housing supply, according to the degree of consistency with the NPPF, in accordance with paragraph 215 of the document. Other policies in the development plan that are relevant to the application and remain up-to-date, are referenced where relevant in these comments.

Relationship to the NPPF and the adopted Development Plan

Sustainable transport and travel

The proposal will need to be assessed in relation to Core Strategy Policy 2 (CS2) – Sustainable Transport and Travel. There are clearly a number of services and facilities within Yarm and this has been recognised with the draft housing allocations and subsequent planning consents at Morley Carr Farm and Land South of Green Lane. The application site is well related to the site of the Morley Carr Farm planning consent and so can be expected to perform similarly in terms of access to services and facilities.

Sustainable living and climate change

The proposal will need to be assessed in relation to Core Strategy Policy 3 (CS3) – Sustainable Living and Climate Change. The 1st bullet point of point 8 of Policy CS3 states that 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". From a desktop study, the application appears to be consistent with point 8 of Policy CS3.

Affordable housing

Point 5 of Core Strategy Policy 8 (CS8) states „Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more". Recent government advice to apply affordable housing targets with flexibility in order to facilitate delivery is also noted. The Council is committed to achieving housing delivery and Policy CS8 acknowledges this by allowing scope for provision at a rate lower than the standard target where robust justification is provided. The standard target is "within a target range of 15 to 20%."

The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual affordable housing requirement of 560 dwellings for the borough of Stockton-on-Tees. Given that the average annual housing requirement for the borough for dwellings of all tenure types is 555 dwellings it is clearly not realistic to meet the TVSHMA requirement in full and this is recognised in the annual affordable housing targets set by Policy CS8. However, the policy also states that the targets are minimums, not ceilings.

It is understood that the applicant will provide affordable housing at a rate of 15%. This will make a contribution towards achieving the affordable housing targets set by policy CS8 and is a significant material consideration in support of the application.

Open space provision

Point 3 of Core Strategy Policy 6 (CS6) states that the quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping SPD. Open Space will be required on site in line with the provisions of the Open Space, Recreation and Landscaping SPD.

Environmental Protection and Enhancement

The proposal will need to be assessed in relation to Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement.

Relationship to the emerging Development Plan

The Regeneration and Environment Preferred Options

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

Policy ENV5 - Landscape Character states „The Council will support proposals which reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Tees Lowlands National Character Area and the Stockton-on-Tees Landscape Character Assessment and Capacity Study. Development proposals will be expected to demonstrate that their location, scale, design and materials will protect and where possible, enhance the special qualities and local distinctiveness of the area.

The NPPF at paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.

The application site is within Unit No. 20 – „Tall Trees Hotel, Yarm“ of the Stockton-on-Tees Landscape Capacity Study and Character Assessment (2011). The site is assessed as having very low landscape character sensitivity and very high landscape capacity. Landscape capacity refers to the „degree to which a particular landscape character type or area is able to accommodate change without significant effects on its character, or overall change of landscape character type“ (Landscape Character Assessment Guidance, 2002).

Prematurity

The application site is not a draft housing allocation and was not considered as such as the greater part of it already had planning consent. The Council's preference is that new housing provision is made through the emerging Regeneration and Environment LDD process. However, recent Secretary of State decisions suggest that the increase in the quantum of residential development proposed by this application would not be considered so substantial, or the cumulative effect would be so significant, that granting planning permission would prejudice decisions about the scale, location or phasing of land for new development through the plan process.

Summarising comments

The starting point for consideration of the application is the adopted development plan. However, the Council accepts that it is not able to demonstrate a five year supply of deliverable housing sites. Paragraph 47 of the NPPF stresses the importance the Government attaches to boosting significantly the supply of housing and paragraph 49 of the NPPF sets out that where a five year supply cannot be demonstrated, relevant policies for the supply of housing should not be considered up to date.

The 2nd bullet point of the decision-taking section paragraph 14 of the NPPF makes clear that where the development plan is absent, silent or out-of-date, planning permission should be granted

unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

The benefits of the application within a housing context are that it would boost significantly the supply of housing; the provision of affordable housing would contribute to reducing the annual net shortfall of affordable housing identified in the TVSHMA and that it would, if implementation begins within a five year time frame, make a significant contribution towards the five year supply of housing.

The proposal needs to be assessed in relation to the presumption in favour of sustainable development. Relevant Core Strategy policies include Policy CS2 - Sustainable Transport and Travel, Policy CS3 - Sustainable Living and Climate Change, Policy CS6 - Community Facilities, Policy CS8 - Housing Mix and Affordable Housing Provision and Policy CS10 - Environmental Protection and Enhancement. No conflict with any of these policies has been identified by the Spatial Planning team.

To summarise, the 2nd bullet point of the decision-taking section of paragraph 14 of the NPPF is engaged by this proposal because the Council is not able to demonstrate a five year supply of deliverable housing sites. The Spatial Planning team have not identified any adverse impacts that outweigh the benefits associated with the proposal.

Appendix A – Summary of relevant planning policies

Core Strategy

CS1 – Spatial Strategy

CS2 Sustainable Transport and Travel

CS3 Sustainable Living

CS6 Community Facilities

CS7 Housing distribution and phasing

CS8 Housing mix and affordable housing provision

CS10 Environmental protection and enhancement

CS11 Planning Obligations

Emerging Regeneration and Environment LDD

Policy ENV5 – Landscape Character

The Environment Agency

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

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) within Chapter 6 of the Environmental Impact Assessment (EIA) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated up to and including the 100 year (inc. climate change) critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. This pre-development rate has been calculated as 487 l/s based on the 1 in 2 year critical storm.

2. Provision of compensatory flood storage/attenuation between 221m³ and 651m³ in order for the pre development rates to be achieved. A strategy should be submitted detailing the exact methods to be used to achieve this.

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

Reason

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

2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
3. To reduce the risk of flooding to the proposed development and future occupants.

Separate to the above condition we have the following advice/comments to offer:

Fisheries and Biodiversity - Advice to LPA/Applicant

We recommend that all of the mitigation measures, detailed in Chapter 3 (Ecology) of the EIA are implemented and adhered to. The measures identified in the EIA are consistent with National Planning Policy Framework (NPPF) paragraph 109 which states that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. This approach is supported by recent legislation and Government Guidance as set out in the Natural Environment and Rural Communities Act 2006 and the UK Biodiversity Action Plan.

Sustainable Drainage Systems - Advice to LPA/Applicant

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Further information on SUDS can be found in:

- o the CIRIA C697 document SUDS manual;
- o HR Wallingford SR 666 Use of SUDS in high density developments;
- o CIRIA C635 Designing for exceedance in urban drainage - good practice;
- o the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on our website at: www.environment-agency.gov.uk and CIRIA's website at www.ciria.org.uk

Discharge of Foul Sewage - Advice to LPA/Applicant

The application form states that foul sewage will be discharged via the public sewers.

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

Private Sector Housing

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

Head of Housing

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

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

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

We note from the Planning Support Statement that the developer is proposing to provide 15 – 20% affordable housing within the site, which is acceptable as it is in line with the need identified in the SHMA 2012. Based on the residential market site scheme of 330 units, 15 - 20% affordable housing would equate to between 50 and 66 affordable units. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

The mix of affordable housing currently required to be provided is 30% intermediate and 70% rented tenures, and based on the SHMA 2012 a high priority will be accorded to the delivery of smaller 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 target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

A worked example based on a requirement for 15% or 50 affordable units: -

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

| Proportion | No. of units | Tenure |
|------------|--------------|---------------------|
| 70% | 35 units | Rent |
| 30% | 15 units | Intermediate Tenure |
| 100% | 50 units | Total |

- Bed Size: Using borough wide figures from the SHMA 2012

| Size | Proportion | No. of units |
|-------|------------|--------------|
| 2 bed | 91% | 46 units |
| 3 bed | 9% | 4 units |
| Total | 100% | 50 units |

Tenure for the above would then be split as follows:

| No. of units | Size | Tenure |
|--------------------------|------------|-------------|
| 46 Units | 2 bed | 32 x Rented |
| 14 x Intermediate Tenure | | |
| 4 units 3 bed | 3 x Rented | |
| 1 x Intermediate Tenure | | |

A worked example based on a requirement for 20% or 66 affordable units:-

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

| Proportion | No. of units | Tenure |
|------------|--------------|---------------------|
| 70% | 46 units | Rent |
| 30% | 20 units | Intermediate Tenure |
| 100% | 66 units | Total |

- Bed Size: Using borough wide figures from the SHMA 2012

| Size | Proportion | No. of units |
|-------|------------|--------------|
| 2 bed | 91% | 60 units |
| 3 bed | 9% | 6 units |
| Total | 100% | 66 units |

Tenure for the above would then be split as follows:

| No. of units | Size | Tenure |
|--------------|---------------------|-------------|
| 60 Units | 2 bed | 42 x Rented |
| 18 x | Intermediate Tenure | |
| 6 units | 3 bed | 4 x Rented |
| 2 x | Intermediate Tenure | |

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

Councillor Mrs M Rigg

I wish to register an objection to this application for the following reasons:

Although the principle of residential development on the site has been conceded in a prior approval the total number of dwellings included was approximately half the number suggested in this application, along with an extension to the hotel. The traffic patterns associated with hotels are different to those associated with housing. Since that time further approvals have been granted for housing in the vicinity of this site. The Green Lane approval was for precisely the number which traffic modelling showed the road system could cope with. That model included the previously approved dwellings for this site. Therefore there should be no question of approving any increase in the number on this site. The junctions and Yarm High St cannot cope with further increases according to Stockton's own traffic model commissioned last year.

There is no evidence that these houses will help with Stockton's housing needs. The predicted build out rate for sites already approved in the Yarm & Eaglescliffe area is in the region of 10-20 per annum on each site, showing that there is not a demand for housing at this price in these locations. Therefore this site will not contribute significantly to reducing the 5 year supply gap.

PUBLICITY

39. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement which involved an advertisement within a local newspaper and subsequent website outlining the proposals and inviting comments and a public consultation event held at Yarm Community Hall, High Church Wynd on the 22nd August 2013.

40. Local residents have been individually notified of the application and advertised on site and a summary of the comments received are set out below: -

41. 54 letters of objection from residents were received from the following addresses:

Greenabella Bentley Wynd Yarm; 3 Bridgewater Leven Bank; 17 West Street Yarm; 10 Battersby Close Yarm; 10 Ash Grove Kirklevington; 21 The Slayde Yarm; 17 Battersby Close Yarm; 14 Battersby Close Yarm; 12 Bulmer Close Yarm; 9 Roedean Drive Eaglescliffe; 28 Crosswell Park Ingleby Barwick; 42 Carew Close Yarm; 7 Bankside Yarm; Folly View Far End Farm; 49 Knaith

Close Yarm; 39 Worsall Road Yarm; 1 Sefton Way Worsall Road; 43 Worsall Road Yarm; Brecon Bar Worsall Road; 63 Glaisdale Road Yarm; 3 Valley Close Yarm; 32 Crosswell Park Ingleby Barwick; 14 Battersby Close Yarm; 4 St Martins Way Kirklevington; Heathwaite Thirsk Road; Far End Cottage Worsall Road; Yarm Lea Worsall Road; 20 Carew Close Yarm; 34 Carew Close Yarm; 1 Seymour Grove Eaglescliffe; 6 Grassholme Way Eaglescliffe; 3 The Green Kirklevington; 28 Crosswell Park Ingleby Barwick; 7 Mount Leven Road Yarm; 1 Fishbourne Grove Ingleby Barwick; 21 Hird Road Yarm; 18 Regency Park Ingleby Barwick; 19 Church Road Egglecliffe; 15 Glaisdale Road Yarm; 9 Glaisdale Road Yarm; Comondale House 1A Countisbury Road; Greenside Egglecliffe Village; 7 Westlands Kirklevington; Grove farm Forest Lane; 25 Mount Leven Road; 42 Ash Grove Kirklevington; 9 Kingsdale Close Yarm; 46 Spitafields Yarm.

42. The consultation responses are summarised as follows:

- *Highway safety on Green Lane A1044;
- *Added strain on Yarm's infrastructure (added to developments already agreed by SBC);
- *Difficulty of implementing sustainable transport and safety of children;
- * Extra strain on the railway bridge on Green Lane;
- * No justification for the need for further housing;
- *Added strain on Yarm's infrastructure;
- *Not enough school places, doctors & dentists to cope with the large influx of people;
- *The development is not sustainable;
- *The development is outside the limits of development;
- *The development is within a strategic gap;
- *The developers traffic assessment is not robust;
- *The development will seriously affect a strategic Wildlife Corridor;
- *The design of the proposed site does not clearly define how surface water drainage will be accommodated to prevent flooding downstream of the development;
- *The Travel Plan is inadequate;
- *The provision of the recreational area is inadequate;
- *Yarm is set to lose its character as being a much valued small historic Georgian Market Town;
- *Taking development away from places that need it like Stockton;
- *Large areas of unsellable houses like in Middlesbrough;
- *Stockton high street is failing; it needs more people closer to it, not in the more expensive areas around it;
- *The archaeology, desk based study, submitted by Brigantia is flawed;
- *The developer has failed to consider the impact of the development on the setting of both heritage assets designated and non-designated within the Parish of Kirklevington and within Yarm;
- *Development on this scale is not sustainable;
- *This will lead to the loss of further green space;
- *Highway safety;
- *Gas pipe traverses the site;
- *Car parking in Yarm will worsen;
- *Access to Yarm High Street to shop will get worse;
- *Through travel to North of the River via Yarm High Street will get worse;
- *There are limited shops / supermarkets in this area and we will have even more problems shopping in Yarm;
- *The drainage from all the new developments will add to the flooding that occurs;
- *Increased pressure on the schools and health centres that are already struggling to cope;
- *Increase in the noise and air pollution;
- *Impact on ecology;
- *There is evidence of contamination on the existing site;
- *This road is also susceptible to flooding in periods of heavy rain;
- *Inability of SBC to stop HGV/Juggernauts using Yarm High Street as a short cut from the A66 to A19 (and visa/versa) will create major traffic chaos;
- *Estate roads used as rat runs;

- *Drains and sewers are bad throughout the Yarm area;
- *Overhead lines, there is no provision for underground power lines.
- *The demolition of the hotel has changed the requirements for any new development on that site.
- *Mount Leven retirement village could easily have been put here instead of destroying part of the Leven Valley and Tees Heritage Park.
- *Inadequate Public Consultation by Developer
- *Outside development limit
- *The developer is land banking

Contrary to Policy which encourages brownfield land
Housing need is greater elsewhere in the borough
SBC overlooks the cost of ancillary infra-structure related to greenfield development.

PLANNING POLICY

43. 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

44. 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

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

National Planning Policy Framework

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

For decision-taking this means:

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

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

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

Core Strategy Policy 1 (CS1) - The Spatial Strategy

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

2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.
3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.
4. The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.
5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.
6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.
4. Initiatives related to the improvement of public transport both within the Borough and within the Tees Valley sub-region will be promoted, including proposals for:
 - i) The Tees Valley Metro;
 - ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
 - iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
 - iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.
5. Improvements to the road network will be required, as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

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

Core Strategy Policy 6 (CS6) - Community Facilities

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

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

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:
 - i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
 - ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
 - iii) The priority accorded to the Core Area;
 - iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.
2. No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.
3. Areas where land will be allocated for housing in the period 2016 to 2021:

| | |
|--------------------------------|---------------------------------------|
| Housing Sub Area | Approximate number of dwellings (net) |
| Core Area | 500 - 700 |
| Stockton | 300 - 400 |
| Billingham | 50 - 100 |
| Yarm, Eaglescliffe and Preston | 50 - 100 |

4. Areas where land will be allocated for housing in the period 2021 to 2024:

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.

6. Proposals for small sites will be assessed against the Plans spatial strategy.

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

Core Strategy Policy 8 (CS8) - Housing Mix and Affordable Housing Provision

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).

2. A more balanced mix of housing types will be required. In particular:

- _ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
- _ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
- _ In the Core Area, the focus will be on town houses and other high density properties.

3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.

5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is provided. This must demonstrate that provision at the standard target would make the development economically unviable.

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

7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.

9. The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a 'rural exception' site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.

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

11. Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development, are compatible with wider social and economic regeneration objectives, and are conveniently located for access to the University and local facilities.

12. The Borough's existing housing stock will be renovated and improved where it is sustainable and viable to do so and the surrounding residential environment will be enhanced.

13. In consultation with local communities, options will be considered for demolition and redevelopment of obsolete and unsustainable stock that does not meet local housing need and aspirations.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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

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

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

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

ii) Green wedges within the conurbation, including:

- _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
- _ Leven Valley between Yarm and Ingleby Barwick;
- _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- _ Stainsby Beck Valley, Thornaby;
- _ Billingham Beck Valley;
- _ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

1. All new development will be required to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements.

2. When seeking contributions, the priorities for the Borough are the provision of:

- _ highways and transport infrastructure;
- _ affordable housing;
- _ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

Saved Policy EN4

Development which is likely to have an adverse effect upon sites of nature conservation importance will only be permitted if:-

- (i) There is no alternative available site or practicable approach; and
- (ii) Any impact on the sites nature conservation value is kept to a minimum.

Where development is permitted the council will consider the use of conditions and/or planning obligations to provide appropriate compensatory measures.

Saved Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
- (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

Saved Policy EN30

Development, which affects sites of archaeological interest, will not be permitted unless:

- (i) An investigation of the site has been undertaken; and
- (ii) An assessment has been made of the impact of the development upon the remains; and where appropriate;
- (iii) Provision has been made for preservation 'in site'.

Where preservation is not appropriate, the Local Planning Authority will require the applicant to make proper provision for the investigation and recording of the site before and during development.

Saved Policy EN38

Residential development or development which attracts significant numbers of people, particularly the less mobile, will be permitted in the vicinity of a hazardous installation only where there is no significant threat to the safety of the people involved.

MATERIAL PLANNING CONSIDERATIONS

46. The main planning considerations of this application are the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring residents and highway safety, health and safety requirements, flood risk, ecology and nature conservation and other material planning considerations. The objections raised as a result of publicising the planning application are addressed under the headings below.

47. The application site is an unallocated site in the adopted local plan and is located outside the limits of development. Saved Policy EN13 seeks to strictly control development within the countryside beyond these limits and restricted to limited activities necessary for the continuation of farming and forestry contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. The proposed residential development does not fall within these categories and a judgement is required whether considerations in support of the proposed housing are sufficient to outweigh rural restraint policies.

48. The principle of development on the greater part of the site has already been established in relation to the existing planning consent. However, this was specifically in relation to enabling development. The applicant contends that it is not viable to proceed with the hotel extension even in the context of the enabling residential development.

49. A significant material consideration is the supply of housing land. The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. The NPPF states (paragraph 14) that at the heart of the NPPF is the presumption in favour of sustainable development which is a „golden thread running through both plan-making and decision-taking“. For plan-making this includes local planning authorities positively seeking „opportunities to meet the development needs of their area“. For decision-making it means:

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

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

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

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

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

52. The five year housing supply assessment for Stockton-on-Tees is updated annually using a base date of 31 March. The Council has produced a report entitled „Five Year Deliverable Housing Supply Final Assessment: 2013 – 2018“. The Report concludes that the Borough has a supply of deliverable housing land of 3.96 years.

54. The five year supply assessment is also being updated every 3 months on a trial basis. The second quarterly update uses a base date of 30 September 2013. The report entitled „Five Year Deliverable Housing Supply Final Assessment: 1st October 2013 to 30th September 2018 (2nd quarterly update report)“ concludes that the borough has a supply of deliverable housing land of 4.23 years.

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

56. The five year supply of deliverable and available housing land is a fundamental requirement of the planning system with the NPPF requiring local planning authorities to ‘boost significantly the supply of housing’ through a number of means.

56. It is considered that the application site is a sustainable development and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. There are clearly a number of services and facilities within Yarm and this has been recognised with the draft housing allocations and subsequent planning consents at Morley Carr Farm and Land South of Green Lane. The application site is well related to the site of the Morley Carr Farm planning consent and so can be expected to perform similarly in terms of access to services and facilities.

57. Significant weight is required to be placed on the need to support economic growth through the planning system. As the Local Planning Authority’s policies for the supply of housing cannot be considered as up-to-date, it cannot be demonstrated that there is a five-year supply of deliverable housing sites. It is considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF. It is considered that approval of this application is not so significant to the outcome of the Core Strategy Review of housing options that planning permission should or could be reasonably withheld.

58. Core Strategy Policy CS8 – Housing Mix and Affordable Housing Provision, states that affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more. The proposals will result in 15% affordable housing and will therefore bring about significant socio-economic benefits.

59. Core Strategy Policy CS6 seeks to protect and enhance open space, sport and recreation facilities in the Borough. Policy CS6 is supported by the Open Space, Recreation and Landscaping SPD which provides guidance on standards for open space based on a PPG17 assessment of open spaces and built facilities in the Borough. The proposed development, in addition to providing on site recreational facilities for equipped natural play will provide for formal sports provision.

60. Core Strategy Policy CS11 relates to planning obligations and sets out requirements for new development to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required and have agreed to contributions to fund off-site highway works and provide additional infrastructure to support sustainable links from the development to local facilities. Furthermore the applicant will agree to a Local Labour Agreement and a legal agreement to provide a mechanism for the future use, management and maintenance of the on-site community land and facilities.

Landscape and Visual Impact

61. In terms of locational policy, limits to development have been identified around the main urban core and the villages. Where possible, limits have been drawn where there is a clear break between urban and rural uses and landscapes. Core Strategy Policy CS10.3 seeks to maintain the separation between settlements, along with the quality of the urban environment through the protection and enhancement of the openness of strategic gaps, between the conurbation and the surrounding towns and villages of the Borough.

62. Whilst the development is outside of the limits to development for Yarm and within the Strategic Gap, it is considered that the site in part is previously developed land and the landscape mitigation offered would integrate the scheme into the local landscape and the proposed development would not have a significant impact on the landscape character of the area and would not bring about the coalescence of settlements.

64. A total of 4.1 hectares of Public Open Space (POS) is provided on the former Saltergill school site (comprising a recreation area and community garden) and on the eastern edge of the site next to Far End Farm (comprising a play area within a park).

65. The indicative proposal illustrates houses within a landscaped setting. The primary roads are lined with street trees within a grass verge and with semi-formal squares at the road intersections. A landscaped footpath corridor crosses the middle of the site. Another landscaped footpath corridor runs along the northern site boundary forming a buffer between the housing and the road (B1264). Much of the existing boundary hedging is retained and supplemented with new native hedgerows on the northern edge of the site and on the eastern boundary. Existing woodland, (part of Black Plantation and Saltergill Plantation), just south of the site lies within the applicant's ownership following Saltergill Beck. Footpath links are planned from the housing development into this woodland where informal footpaths are proposed that link up to existing public right of ways (PROW) to the south;

The Impact upon the Privacy and Amenity of Neighbouring Residents.

66. The location of the development is sufficiently separated from existing dwellings and it is considered that the proposed dwellings would be sufficiently far apart to meet any visual privacy

requirements and the site has a sufficient area to meet the amenity of the occupants and it is not considered that the application will have any significant impact upon the privacy and amenity of neighbouring residents.

67. The layout incorporates increased perimeter landscaping buffers and has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed. There are no designated heritage assets on the site.

68. A Design and Access statement accompanies the application, which provides some design principles and information on the proposed nature, form, scale and appearance of the development as a whole. A condition is recommended to be imposed requiring the development to be carried out in broad accordance with this document to ensure that the dwellings, both individually and collectively, are in keeping with the location.

Ecology and Nature Conservation

69. The application is accompanied by a Phase 1 Ecology report which confirms that the development proposal would have no significant impact on either protected species or habitats (statutory and non-statutory) on the application site or in the surrounding area. Appropriate mitigation measures are proposed and Natural England has examined the proposal and advises that the proposal is unlikely to have an adverse effect on protected species subject to the imposition of conditions to provide the control sought by Natural England.

Other Issues

70. In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies that the development has an acceptable flood risk and the Environment Agency has no objection to the proposal subject to appropriate controlling conditions. The drainage strategy for the site will be agreed with Northumbrian Water and secured by means of a planning condition.

71. A high pressure gas main crosses the application site. Under Article 10 of the Town and Country Planning (General Development procedure) Order 1995, as amended, decision makers are required to consult the Health and Safety Executive (HSE) on certain planning proposals around major hazards and to take into account the Executive's representations when determining associated applications. This is to ensure that the UK complies with Article 12 of the Seveso II Directive which has the specific objective of controlling certain new development around major hazards when the development is such as to increase the risk or consequences of a major incident.

72. The application site contains a service easement in the form of a high pressure gas main on the eastern edge of the site. As part of the development it is proposed at this stage to upgrade a section of the pipeline to a thick-walled pipe in the vicinity of the proposed development site.

73. As with any application within a consultation zone, the HSE is consulted using PADHI+, HSE's online software decision support tool. The initial response which was received was that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission.

73. The HSE has been in discussions with the applicant about the development proposal and a protection scheme has been prepared to ensure the proposals are acceptable from a health and safety perspective. These proposals have been subject to detailed consultation with National Grid Gas plc and the Health and Safety Executive. At the time of writing this report a formal response from the HSE is still awaited. However, the proposals for this work are generally in line with those agreed for the recently approved Morley Carr development.

Therefore subject to no objections being raised by the HSE and the imposition of suitable conditions it is considered that the proposal would not conflict with Planning Guidance in respect of Health and Safety.

74. In terms of contaminate land the Environmental Health Unit Manager has considered the proposal and raises no objection and it is considered that the proposal does not conflict with Planning Guidance in respect of contaminated land.

75. In terms of noise and air quality impact the Environmental Health Unit Manager has considered the proposal and raises no objection on these matters.

76. In respect of archaeology, Tees Archaeology has considered the application and raises no objection to the proposed development. An objection comment has been raised in respect of the accuracy and quality of the Archaeological report accompanying the application and the applicant has responded that their consultant's report looks briefly at the historical background of the settlements nearest to the site- Yarm, Low Worsall and Kirk Levington- but does not rely on this to reach its conclusions. The important factors which lead them to considering the site to be of only limited archaeological potential are the general lack of specific archaeological/ historical information and the clear evidence for considerable post-depositional destruction. The applicant's consultants stand by their characterisation of the site and by their conclusions

77. In terms of Policy CS3 and the reference to integrating of climate change mitigation and adaptation into housing design, in order to ensure that all properties meet Code 4 of the Code for Sustainable Homes and in order to fully reflect the objectives of Core Strategy Policy 3 (CS3), the development proposals should have embedded within them a minimum of 10 per cent of their energy from renewable energy sources, planning conditions are recommended accordingly.

Means of Access, Parking and Traffic Issues

78. The application is accompanied by a Transport Assessment in order to satisfy the Local Planning Authority that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

79. The Head of Technical Services has assessed the proposal and detailed comments are set out in full in the main body of the report and having considered the proposal raises no objection on highway grounds to the proposed development subject to controlling conditions and contributions as shown in the Heads of Terms.

80 The modelling results show that the development can be accommodated on the highway network; there are no reasonable grounds to object to the development on traffic impact. The concerns of local residents are noted in respect of what they perceive and experience as congestion at peak times of the day. Nevertheless, this development has a consent that could be implemented that would generate similar levels of traffic to that proposed. The evidence from the model does not suggest that this development would have such a severe impact on the network to warrant a highway objection. In terms of the National Planning Policy Framework and the capacity of the highway, the additional traffic that would be generated by the proposed development would not be sufficiently harmful to make the planning proposal unacceptable.

81. It is also considered that there are no inherent highway safety concerns.

82. The Head of Technical Services considers that any increase in traffic through Yarm is considered to have a material impact and would require mitigation. It is anticipated that some future residents of the proposed development would use the facilities in Yarm as it is the nearest local service centre. Developments that generate demand on the High Street are asked to

contribute towards car parking solutions for Yarm High Street. The existing planning consent on the site (11/0549/OUT) requires the development to contribute £100,000 towards improvements to parking in Yarm. This obligation should remain but given that the change from hotel use to solely residential use would alter the travel characteristics of the site, the demand for parking in local service centres is likely to increase. Based on a formula applied to other local developments (0.046 spaces per dwelling) the development would need to provide 15 off-street car parking spaces to accommodate the anticipated increase demand for parking in the High Street. The provision of these spaces in a fully operational long-stay public car park to serve Yarm High Street should be provided prior to the occupation of the tenth dwelling. If the applicant cannot deliver this car park then an alternative financial contribution towards a Local Authority operated public car park to serve Yarm High Street could be provided. Based on an estimated cost per space of £9,166.67 the contribution for a residential development of this size required by the Head of Technical of Services would amount to £137,500.

83. In terms of sustainability the site is remote from the local bus service network but the site benefits from a rail station within 1km. The development must, as a minimum, provide a safe pedestrian route from the site to nearby bus stops and the rail station to provide sustainable connections. The development should also provide incentives for residents to travel by bus and rail within the Travel Plan welcome packs. This should include funding, at a minimum of £100 per dwelling, towards initiatives to promote sustainable modes. As part of previously approved applications for this site a contribution was secured for provision of a cycleway along Green Lane. This development should still provide a contribution to provide improved cycle/footway improvements to provide a route to Yarm Rail Station – either in its entirety or connecting to the link provided by neighbouring approved applications depending on which development progresses first. This provision should include improvement to the street-lighting network in order to provide a safe walking/cycling route along Green Lane.

84. The Head of Technical Services concludes that the site has an existing planning consent which has previously been tested in the YIBAM (Highway model). The model outputs confirm that the highway network in the committed base scenario operates within capacity. The impact of this development on the local highway network has been assessed and the results show there is no justification to object to the development on highway grounds.

85. The Highways Agency has also considered the scheme and raises no objection.

Environmental Statement.

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

87. Subject to clarification from the Health and Safety Executive and National Grid, external consultees have confirmed that they are satisfied with the information submitted adequately addresses the impacts of the proposal and identifies appropriate mitigation.

CONCLUSION

88. The development is an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan. However the guidance in the NPPF makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot demonstrate a five year supply of deliverable housing sites. Also housing applications are to be considered in the context of the presumption in favour of sustainable development. It is

considered that there are important material benefits arising from the proposed development and there are not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.

89. Other material considerations have been considered in detail and the development as proposed is considered to be acceptable in terms of highway safety, it does not adversely impact on neighbouring properties or the ecological habitat and flooding and confirmation is anticipated that the development complies with Health and Safety Executive requirements as previously agreed in the case of the Morely Carr Farm development which is to the North of the application site.

90. It is considered that in the planning balance, the proposal would not be premature or prejudicial to the Local Planning Authority's work on the Regeneration and Environment DPD which seeks to properly compare the long term sustainable alternative locations for housing developments and give local residents an opportunity to influence the planning of their own communities and therefore pre-empt the proper operation of the Development Plan process.

91. The application must be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development and delivery and therefore the application is accordingly recommended for approval.

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

WARD AND WARD COUNCILLORS

**Ward Yarm
Ward Councillor Councillor A B L Sherris**

**Ward Yarm
Ward Councillor Councillor Mark Chatburn**

**Ward Yarm
Ward Councillor Councillor Ben Houchen**

IMPLICATIONS

Financial Implications:

As Report

Environmental Implications:

As Report

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document : Open Space, Recreation and Landscaping

Supplementary Planning Document 6 : Planning Obligations