

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

26 FEBRUARY 2014

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

13/3107/OUT

Land at Little Maltby Farm, Low Lane, Ingleby Barwick

Outline application for residential development of up to 550 dwellings, local centre up to 2500m2 and means of access

Expiry Date 11 March 2014

SUMMARY

The application site lies to the south-east of the existing settlement of Ingleby Barwick and is currently a series of open fields bounded by hedgerows. The residential properties of Regency Park and Priorwood Gardens bound the site to the west and north-west respectively.

Members will be aware that recently a planning application was submitted and refused by the Planning Committee for outline planning permission for the erection of Ingleby Manor Free School and a residential development of 350 dwellings (ref; 12/2517/OUT which lies adjacent to this site. The appeal was heard at a public inquiry with the Secretary of State recovering the decision and allowing the appeal.

At this moment in time, the Council is not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added, therefore the Council's housing supply policies are out of date and the scheme must be considered against those policies of the National Planning Policy Framework (NPPF). As set out within the report the benefits of the application are that it will boost significantly the supply of housing including affordable housing provision and contribute to achieving economic growth through investment and job creation.

Whilst developing this part of the Green Wedge for housing would be contrary to policies CS3 and CS10 of the Core Strategy as well as Saved Local Plan Policy HO3, it is not considered that the harm associated with this development is so significant that it outweighs the benefits of boosting the supply of housing land to address the current shortfall in the 5 year supply, the provision of affordable housing and the associated economic benefits.

Notwithstanding this, issues remain with the current proposal given that insufficient information has been provided to satisfactorily demonstrate that the proposed development will not adversely impact on highway safety or features of archaeological interest. Whilst the applicant may be working towards addressing these matters, at this moment in time there is insufficient information available to overcome these matters at present.

RECOMMENDATION

That planning application 13/3107/OUT be refused for the reasons set out below;

Highway Safety:

- 01 ***The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on highway safety and the free flow of traffic to both the Local and Strategic Highway Networks or that the impact could be satisfactorily mitigated to the reasonable satisfaction of the Local Planning Authority and is therefore contrary to guidance within policy CS2 of the Core Strategy (1&2) and paragraph 32 of the National Planning Policy Framework (NPPF).***

Archaeological Features:

- 02 ***The applicant has failed to provide sufficient information to satisfactorily demonstrate that the proposed development would not have a detrimental impact on features of archaeological interest or that the impact could be satisfactorily mitigated to the reasonable satisfaction of the Local Planning Authority and is therefore contrary to guidance within saved policy EN30 of the Local Plan and paragraph 128 the National Planning Policy Framework (NPPF).***

INFORMATIVE OF REASON FOR PLANNING APPROVAL

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

BACKGROUND

1. Within the surrounding area, outline planning permission was originally sought in the mid 1970's for a residential development, with the later application being refused (refs; S1626/74 & S1629/75). A further application for residential and ancillary development was also refused and the subsequent appeal dismissed by the secretary of state (ref; S1389/88). The land forming the application site was also envisaged as being part of village 7 of Ingleby Barwick. However, this village was later removed from the master plan and the development of Ingleby Barwick as a whole proceeded as 6 'villages'.
2. The site then gained approval for an 18-hole golf course and driving range, it was originally approved with outline planning consent in 1990 (ref; 90/1965/P) and was followed by an application in 1994 for the provision of a golf driving range, new access, services building and 30 no. driving bays (ref; 94/0385/P) these planning consents were re-established in 1997 and renewed in 2000 and 2003, with the consent expiring in September 2006.
3. More recently a planning application was submitted and refused at Planning Committee for outline planning permission for the erection of Ingleby Manor Free School and a residential development of 350 dwellings (ref; 12/2517/OUT) on a site to the south of this application site. As members will be well aware, the planning merits of this case have recently been considered by the Planning Inspectorate at a Public Inquiry, with his report being passed to the Secretary of State, whom allowed the appeal. In reaching his findings on the appeal, the Inspector reported that whilst he noted the harm to the green wedge policy, character of the area and recreational value of the site, in accordance with paragraph 14 of the NPPF, 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. In accordance with paragraph 47 of the NPPF, he judged that the Council's policies for the supply of housing could not be considered up-to-date as a result of a lack of 5 year housing land supply. Furthermore, in accordance with paragraph 72 of the NPPF 'great weight' was also placed on the provision of the 'free school' and accordingly he and the Secretary of State both concluded that whilst there was harm to the green wedge, the character and appearance of the area, and recreational opportunities, the policies within the National Planning Policy Framework (NPPF) carried such weight that they outweighed those of the development plan. This approval was recently amended to allow changes to the wording of the planning conditions at planning committee on the 5th February 2014 (ref; 13/3077/VARY).

SITE AND SURROUNDINGS

4. The application site lies to the south-east of the existing settlement of Ingleby Barwick and is currently a series of open fields bounded by hedgerows. The residential properties of Regency Park and Priorwood Gardens bound the site to the west and north-west respectively.
5. Low Lane runs to the south of the site and a small collection of residential and commercial properties lie on the opposite side of Low Lane. A small group of former farm buildings, known as 'Little Maltby Farm' and a residential property 'Leven Lea' also lie to the south of the majority of the site. Further residential properties also lie to the west of Barwick Way.

PROPOSAL

6. Outline planning consent is sought for the creation of a residential housing development of up to 550 dwellings. All matters are to be reserved with only the means of access up for consideration at this moment in time.
7. The application seeks permission for residential development and a local retail centre of up to 2,500 sq.m. of floor space. The indicative plan also includes an area for 100 retirement dwellings and open space provision.

CONSULTATIONS

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

Head of Technical Services

General Summary

This development would increase the number of residential properties (in addition the 350 properties and a secondary school from the extant permission) accessed from a single access road for up to 900 properties. The Head of Technical Services considers that this number of properties and a school from one vehicular access is not good highway design and the principle of the access remains a concern that needs to be agreed via the micro-simulation transport model. The Head of Technical Services would encourage a comprehensive Master planning approach to the wider Little Maltby site in particular a direct linkage with Thornaby Road which would improve the balance of vehicular movement through the site and which may make the site more viable for a bus route.

Technical Services developed the micro-simulation transport model to review the impact of developments in the Yarm and Ingleby Barwick area. This model which has been developed in conjunction with the Highways Agency is also considered to be the most appropriate tool to assess the cumulative highway impact of a number of proposed development sites locally. This model must be used to provide a more accurate assessment of the impact of the proposed development, the single access and the suitability of proposed mitigation measures.

Until this modelling assessment of the development impacts has been tested, the Head of Technical Services cannot provide a full response to this application.

Whilst the Transport Assessment notes that the layout has been designed to accommodate a bus route in the future, it is considered that the single access to the site would likely preclude any interest from bus operators. The majority of the development would, therefore, be outside the desirable walking distance to a bus stop (400m) as indicated in the CIHT's (Chartered Institution of Highways and Transportation) guidelines. The developer would be required to address this, through discussions with local bus operators and alterations to the proposed site layout.

It is proposed that a Travel Plan would be agreed and implemented prior to occupation – this is not acceptable. Should this development be approved it should be conditioned that a Full Travel Plan is submitted prior to the commencement of the development.

In summary, further highway work is required to determine the impact of the proposed development on the local highway network. Additional consideration also needs to be given to Master planning the site to improve transport linkages to and from the site to better integrate the site into existing transport networks, public transport and land-uses.

In landscape and visual terms, it is considered that the existing open character of the Green Wedge designation where the development is planned would be irrevocably changed by the development from one of open fields to built development. However, taking into consideration the recent planning appeal decision for the adjoining site and the retention of approximately 350m of green wedge between the eastern edge of the proposed development and Thornaby Road it is considered that this application broadly accords with the Inspectors decision in that the function of this Green Wedge in terms of separation between communities is retained. The inspector also considered that a properly designed landscape buffer should be provided to act as an edge and screen to the development. This application also provides a landscape buffer but it is recommended that this proposed tree buffer be increased in width to provide effective screening.

It is considered that the area of POS indicated on the Indicative Masterplan TAG 5 is not acceptable both in terms of size and shape for the development and the plan should be amended to provide a suitable area.

The increase in POS provision and the increased buffer planting is likely to reduce the yield of the site in terms of housing numbers.

Highways Comments

Overview

The proposed development is for up to 550 residential dwellings and a local centre (2,500sqm) on land accessed off Low Lane, Ingleby Barwick. A Transport Assessment (TA) has been submitted in support of the application.

The adjacent site was granted consent in 2012 (12/5217/OUT) for a Secondary School and 350 residential units. Access into the school development was via a new roundabout onto Low Lane. The proposed access into this development for up to 550 units would use the same roundabout junction. A separate emergency access is proposed onto Low lane to the east of the roundabout.

This development would increase the number of residential properties and a secondary school accessed from a single access road for up to 900 properties. The Head of Technical Services considers that this number of properties and a school from one vehicular access is not good highway design and the principle of the access remains a concern that needs to be agreed via the micro-simulation transport model. The Head of Technical Services would encourage a comprehensive Master planning approach to the wider Little Maltby site in particular a direct linkage with Thornaby Road which would improve the balance of vehicular movement through the site and which may make the site more viable for a bus route.

Technical Services developed the micro-simulation transport model to review the impact of developments in the Yarm and Ingleby Barwick area. This model which has been developed in conjunction with the Highways Agency is also considered to be the most appropriate tool to assess the cumulative highway impact of a number of proposed development sites locally. This model must be used to provide a more accurate assessment of the impact of the proposed development, the single access and the suitability of proposed mitigation measures.

Given the scale of residential development a Masterplan approach should be taken that coordinates the land use with a transport strategy to improve linkages to and from the site and Thornaby Road. The design of a route to Thornaby Road should prevent 'rat running' of through traffic.

Development Layout

The application is in outline only with all matters except access reserved. As noted above, the access into the site would be taken from the neighbouring development which proposes a new roundabout junction on Low Lane. All works to deliver the access into the site would need to be implemented prior to the commencement of this development.

From the new roundabout to the first internal junction, it was recommended that the road be at least 7.3m wide. This width would accommodate lane closures for maintenance etc. without the need to close the road. It was similarly recommended that the main internal residential roads be 6.7m in width to accommodate a bus route. All internal roads should have 2m wide footways.

Car and cycle parking for each dwelling would need to be in accordance with Supplementary Planning Document 3: Parking Provision for New Developments, 2011. Each curtilage parking space should be 6m in length to ensure that parked cars do not overhang the footway. In accordance with the parking standards, a garage will only be counted as a parking space if it meets the minimum internal dimensions of 6m x 3m. Car and cycle parking would also be required for the proposed local centre in accordance with the parking standards.

Any Reserved Matters application for the detailed elements of the site would also need to be supported by information on refuse collection and storage along with auto tracking of large vehicles around the site. A Construction Management Plan would be required in order to ensure that no construction works would have a detrimental impact on the highway. Whilst the internal layout is subject to a Reserved Matters application, it should be noted that it must be designed in accordance with Manual for Streets (Department for Transport, 2007) guidance.

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

The vehicular trip rates and forecast vehicle trips associated with 550 dwellings in the AM peak hour is shown in Table 1.

Table 1: Average Residential Trip Rates

	Inbound	Outbound	Total
Trip Rate – Average for all Ingleby Barwick	0.23	0.59	0.82
Trip Rate – Average for Ingleby Barwick areas with school		0.23	0.53
Trips (based on trip rate with school)	129	297	426

The average residential trip rates have been derived from cordon surveys of the six villages within Ingleby Barwick. The average trip rates from the survey throughout Ingleby Barwick were slightly higher (as shown in Table 1) than the rates applied in the TA, which have been reduced as it is considered that the close proximity of a school to the residential units would remove some car trips from the network in the peak periods. The cordon surveys showed that the areas within Ingleby Barwick without a school had higher trip rates than those areas with a school. The trip generation methodology is therefore considered acceptable.

Trip rates for the proposed local centre have not been provided. The local centre is proposed to provide day to day convenience shopping and ancillary services for the local community. It is therefore assumed that the majority of vehicular trips would be pass-by trips but it would be beneficial for the applicant to provide an estimate of the likely trip generation of the centre to enable this to be factored into the highway impact assessment.

Highway Impact

The highway impact at the site access roundabout has been assessed using ARCADY. ARCADY results refer to Ratio of Flow to Capacity (RFC) and predicted queue lengths in Passenger Car units (PCUs). A RFC value of 1 indicates that the arm of a junction is operating at its theoretical capacity.

The results indicate that during the AM peak hour the A1044 Low Lane west approach would experience a RFC of 84 with a queue of 6 vehicles. The access arm of the roundabout would experience a RFC of 82 with a queue length of 4 PCUs. The results indicate the junction would operate within capacity but the RFC values do indicate that the junction, with the development, would be approaching capacity which is a concern given that there is only one access into the site. It is also not clear if the ARCADY assessment has considered other recently consented developments which have been demonstrated as having an impact on this part of the network. Additional traffic could result in higher RFC values and queue lengths at this junction than forecast in the TA.

With regards to the impact on the wider network, the highway impact assessment has utilised a VISSIM model developed for a base year of 2009 with a future year assessment for 2019. The future year assessment applies TEMPRO growth factors and committed housing traffic associated with The Rings and Broom Hill residential developments. It also includes the following highway schemes, which for the purpose of the assessment are considered to be committed:

- Signalisation of the Myton Way / Broom Hill Avenue junction;
- Tesco scheme (widening between Myton Way and Barwick Way); and
- The Preston Farm Industrial Estate, the former Rokeby scheme (The Rings / Queen Elizabeth Way roundabout improvements).

It should however be noted that the improvements listed above are not currently fully funded, although funding is continuing to be sought from local developments to support the delivery of these highway schemes. The modelling has assessed a scheme featuring 1400 units on the site and a 750 pupil secondary school. The modelling assumes three site access points into the site. In addition to the proposed roundabout access on Low Lane, the modelling assumes there would be a roundabout junction off Thornaby Road and an additional priority junction access off Low Lane.

The results indicate that the larger site would result in significant deterioration in traffic conditions southbound at the Thornaby Road / A174 Parkway junction and southbound between the Barwick Way / Sober Hall Avenue roundabout and Barwick Way / Blair Avenue roundabout. The TA states that the significant impact is for a total of 1400 units which is larger than the total of 900 units that would be delivered on this site (350 units consented under application 12/2517/OUT and up to 550 additional units associated with this development). Consequently, the TA states that it would be reasonable to assume that the impacts would be significantly lower.

It also notes that mitigation improvements have been agreed as part of the consented development. The VISSIM modelling for the consented scheme concluded that the secondary school and 350 units would result in significant deteriorations in journey times (greater than 50%) on Ingleby Way, Barwick Way and Thornaby Road without mitigation. Similarly, the queue lengths were seen to worsen on a number of key routes in excess of the theoretical capacity. The development was subsequently required to mitigate these impacts as without the necessary improvements, the residual impacts of the secondary school development would be significant and there would have been a highway objection to the proposal.

The agreed package of mitigation measures for 12/2517/OUT include improvements at the Thornaby Road / Low Lane junction which are not included in the VISSIM model and it is reasonable to suggest that these improvements would be of benefit. Similarly, the consented development is providing a contribution towards the improvements included in the model on the west side of Ingleby Barwick. It is also recognised that junction improvements are being delivered by the Highways Agency at the A19 / A174 Parkway junction and SBC are improving the A174 Parkway / Thornaby Road junction to support the A19 / A174 junction improvements. The TA notes that these highway improvements should alleviate the problems at the Thornaby Road / A174 Parkway junction and should provide sufficient capacity to accommodate the traffic flows associated with the additional 550 units. Whilst this may be the case, this has not been tested in the model. The modelling also only

presents the assessment for the AM peak period; it is considered that given the increase in traffic, some parts of the network may experience capacity issues during the PM peak.

The TA acknowledges in the TA conclusion that whilst the committed improvements would provide some additional capacity, there may be a further requirement for highway mitigation or contributions to highway schemes to support the proposed development. There is a commitment in principle to provide a reasonable level of contribution to highway related schemes to mitigate the impact of the additional 550 units. However, the VISSIM model outputs presented do not allow a reasonable assessment of the traffic impact to be determined. There are too many differences between the model and the current situation including:

- The committed developments and infrastructure improvements have changed since the initial VISSIM modelling;
- Related to the above, the highway mitigation has not been tested for the larger site to confirm the committed improvements provide sufficient capacity to accommodate the development. Once the improvements are in place it would be inefficient to carry out immediate further highway works to accommodate traffic associated with this site; the package of improvements need to be tested now to ensure the works are adequate; and
- The site would rely upon one access, rather than the three assessed in the VISSIM model, and this will alter the traffic distribution from the site.

Technical Services has developed a micro-simulation transport model to review the impact of developments in the Yarm and Ingleby Barwick area. This was commissioned as it was considered to be the most appropriate tool to assess the benefit of the approved A19 /A174 pinch point scheme proposed by the Highways Agency, the additional benefit of the approved local pinch point scheme on the A174 and the cumulative highway impact of a number of proposed development sites locally. It is recommended that this model should be used to provide a more accurate assessment of the impact of the proposed development and the suitability of proposed mitigation measures.

Until this up to date assessment of the development impacts has been tested, the Head of Technical Services cannot provide a full response to this application. It is our understanding that this information is currently being assembled on receipt of information, full consideration of the impact will be made. It remains a concern of the Head of Technical Services of the single access arrangement.

Sustainable Transport and Travel Plan

Within the TA it states that it is proposed that a Travel Plan would be agreed and implemented prior to occupation – this is not acceptable. Should this development be approved it should be conditioned that a Full Travel Plan is submitted prior to the commencement of the development.

The full Travel Plan must include

- Contact details for the Travel Plan Coordinator (TPC);
- Timescales for the TPC to be in place (minimum of 5 years). For a residential development this post should be in place as part of the marketing stage of the development to promote the aims and objectives of the Travel Plan to prospective new occupants. The time period for the coordinator to be in position should not start until after the baseline survey have been undertaken;

- Details of when the Travel Plan is to be monitored and reviewed including timescales for when travel surveys are to be carried out. The baseline survey should be carried out after an appropriate number of properties have been occupied to ensure an adequate sample size;
- Modal split targets and measures to achieve these targets, which must be SMART: Specific, Measurable, Achievable, Realistic and Timebound. These should be agreed with the Council's Sustainable Travel officer following the completion of the baseline survey; and
- 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).

The proposed production of a welcome pack for new occupants is a positive measure to provide information about sustainable modes of travel. This should also include incentives in the form of discount bus transport and cycle vouchers. The welcome pack should provide Travel Plan incentives for residents of a minimum of £100 per dwelling.

As this development is a continuation of the neighbouring approved residential and free school development (12/2517/OUT) the Travel Plan should be combined to cover both residential developments; the school should remain as a separate Travel Plan.

A pedestrian and cycle access is proposed through the northern part of the site using an existing Public Right of Way that connects the site to the wider residential area of Ingleby Barwick. There is also a pedestrian route proposed through the southern part of the site connecting to Barwick Way to connect to the toucan crossing on Barwick Way to be delivered as part of 12/2517/OUT. A toucan crossing will also be provided on the western arm of the access roundabout to cross Low Lane to provide a facility for pedestrians accessing the convenience store located within the petrol filling station. When developing the internal layout the developer should ensure the cycle route through the development connects to the local centre and to the free school to be delivered as part of planning application reference number 12/2517/OUT.

The TA notes that a bus strategy has been discussed previously with Arriva but there was little interest for the secondary school application (12/2517/OUT) in diverting bus services or providing a new route into the site. The TA identifies that the layout has been designed to accommodate a bus route in the future if required. However this is in terms of road widths and the use of internal loop roads only, it is suggested that with just one access into the site it restricts the likelihood of bus services using the site.

Given the scale and layout of the proposed development and the distance parts of the site lie from the existing bus route, significant areas of proposed housing would be outside the desirable walking distance to a bus stop (400m). The applicant is encouraged to liaise with other bus operators or consider other community initiatives with a view to provide bus provision to serve this development and the already approved 12/2517/OUT – it is noted for example that Leven Valley already provides a service in this area. The previous comments relating to the single access should be taken into consideration during these discussions.

To assist with the development of the electric vehicle infrastructure the applicant should provide charging points at the local centre in accordance with the Charge Your Car framework /specification.

An additional measure which the applicant is encouraged to explore to help improve sustainable methods of travel to and from the proposed development would be the inclusion

of a car club at the development – this would benefit not only this development but the neighbouring approved 12/2517/OUT.

Summary

In summary, further work is required to determine the impact of the proposed development on the local highway network. Previous work has indicated that there are forecast to be capacity issues on some parts of the network in the future and whilst there are some committed infrastructure improvements to address these issues, no assessment has been made as to whether these measures are sufficient to support additional development. Furthermore, given the size of the site, further consideration must be given to providing sustainable travel measures to support the development.

Landscape & Visual Comments

Development Proposal

The proposed development is for up to 550 residential dwellings with a local centre together with a public open space, adjoining the northern edge of the development that was granted consent in 2012 (12/5217/OUT) for a Secondary School and 350 residential dwellings.

Landscape Character

The topography of the site, whilst gently undulating, presents a generally level appearance. The site is currently used as rough grazing land for horses and much of the land is dotted with hawthorn scrub. The land is crossed by several hedges one of which follows a small stream that runs north to south across the site and one of which forms the current eastern site boundary.

The site is described in the Stockton Borough Council Landscape Character Assessment as an area of medium landscape and visual sensitivity with a medium capacity for appropriate development. It recognises that the site currently forms part of a defensible boundary for Ingleby Barwick. It is located within the Yarm Rural fringe character area

The site is designated under Planning Policy as Green Wedge and forms part of Stockton Councils Green Infrastructure Network.

The southern site boundary which is currently formed by grazing land benefits from an extant planning permission for housing and a school. The northern site boundary is formed by woodland, the southern edge of Thornaby Plantation, with the north western and western boundaries formed by Bassleton Beck and its associated open space and planting, that forms part of the Beck corridor. The eastern edge of the Ingleby Barwick Housing Estate lies just west of this corridor. Beyond the eastern boundary hedge lie arable fields that abut a wide grass verge that runs alongside Thornaby Road, with the Teesside Industrial Estate beyond.

Environmental Impact Assessment and Illustrative Landscape Masterplan

The proposed access to the site is to be gained from Low Lane (A1044) through the approved housing area to the south. Much of the existing hedgerow and tree planting is proposed to be retained and enhanced where necessary to assist the integration of the proposed development into the site.

There are a number of discrepancies within the Landscape and Visual Impact Assessment (LVIA) and these are listed below:

- The current viewpoints in the LVIA do not acknowledge the extant permission for the houses and school;
- A longer distant viewpoint to the south of the site is taken from the public footpath ref FP2 Maltby (Photograph 11), but this viewpoint has not been assessed as a current viewpoint in the LVIA. Also the photograph is incorrect as the public right of way is highlighted incorrectly and appears to be heading east not north;
- There appears to be a discrepancy over the location of the nearest views from the south. Photograph 1, although correct on the plan ref Photograph Viewpoint Locations TAG 4 has the southern boundary in the wrong location and Photograph 2 is in the wrong location on the plan and should be positioned south at the start of the Public Bridleway ref. BR13 Maltby;
- There appears to be a discrepancy over the visibility of the site from the viewpoint shown in photo 7 (from the junction of Thornaby Road and Low Lane). Section 5.1.13 states that the site will be visible; whereas section 4.5.5 (current views from the east) states that the site will be screened by existing hedges and fences;
- Longer distant eastern views of the site from the High Lane road bridge shown in photo 8. There appears to be confusion in the L&VIA over the visibility of the site from this viewpoint. Section 5.1.14 considers it to be visible with clear panoramic views of the site whereas section 4.5.5 (current views from the east) states that the site will not be visible from this location;
- Section 5.1.16 states that views from the public Bridleway ref. BR13 Maltby are screened by an existing hedge that runs along the southern site boundary. This is not correct as the hedge in question does not form this boundary with the actual southern site boundary lying in the middle of a grazed open field.

These discrepancies (not differenced in professional opinion) should be corrected and reassessed before the determination of the application.

Current Viewpoints

Views into the site from the north as demonstrated in the LVIA along Thornaby Road are currently screened by Thornaby Plantation and the boundary hedgerows surrounding the residential property of Thornbrook as shown in Photograph 5.

Further south along Thornaby Road past Thornbrook, views of the site from the east open up as shown in Photograph 6. Views of the site can be seen to be partly softened in places by the unmanaged hedgerow (that includes the occasional hedgerow tree) that runs along the eastern site boundary and the site is viewed in the context of the existing houses of the Ingleby Barwick Estate to the west. A second view (Photograph 7) is taken from the junction of Thornaby Road and Low lane which presents a similar view of the site although the existing hedgerows soften views of the south eastern parts of the site. The LVIA states that existing boundary hedges and fences screen the site from this location, but this is not considered correct and the predicted visual impact is discussed in more detail in the section on landscape and visual impact below. Longer distant views of the site from the east are assessed from the High Lane road overbridge on the A19 (Photograph 8 at approx. 0.9km distance from the south eastern edge of the site. The LVIA considers that the site is not

visible from this viewpoint due to intervening vegetation and topography. However it is considered that the site can be seen beyond the existing eastern boundary hedgerow with the edges of Ingleby Barwick in view beyond. Again the predicted visual impact on this view is discussed in more detail in the section on landscape and visual impact below.

Stockton Borough Council (SBC) considers that views from the public bridleway BR13 Maltby north toward the site would largely be restricted by the extant permission (12/5217/OUT). Initially, views would be restricted by the built form and later following maturity of the screen planting. Views from Low Lane (Photograph 13) would again be blocked by the extant development. Similarly longer distance views of the site as shown in Photograph 12 (at a distance of approximately 1.4 km the site and taken from the A19 Redhill overbridge on Yarm Road would be similarly restricted. These effects of the extant permission on the views from the south need to be picked by the applicant in the LVIA.

There are glimpsed views of the site from the informal footpath located on Stockton Borough Council owned land just to the west, as shown on Photograph 9 and from some of the private residential properties along Priorwood Gardens with the existing hedgerows and trees, providing some filtering of the views. Longer distant views of the site from the west would be seen in the context of the existing residential development of Ingleby Barwick with views restricted by house, trees and fences as shown in Photograph 10.

Generally, vegetation on site is deciduous in nature, therefore any screening benefit would be substantially reduced in winter following leaf fall. It is unknown if the current hedgerow trees that currently provide a degree of screening, notably on the eastern site boundary hedgerow, are Ash which are at risk of death due to Chalara dieback. The type of hedgerow tree should be confirmed.

Visual impacts

It is noted that the LVIA only refers to views of the current site not the degree of change in these views following build out of the extant permission. This approved development includes a mix of 2 and 3 storey buildings set within a relatively flat site. The LVIA notes that it is the trees at maturity that would provide the necessary level of screening. It can, therefore, be concluded that on day of opening that there would be little in the way of any visual separation between the development and the stated viewpoints. For the purposes of this consultation response it is noted that it could take a minimum of 15 years for the proposed buffer planting to reach a height which could provide a reasonable level of screening.

It is also noted that only annotated photographs have been included within the planning submission. Without the benefit of photomontages that accurately demonstrate the buildings in context the assessment of development impact of the buildings on this site is based solely on site observations.

As panoramic views from Thornaby Road to the north and north east of the site are not possible (being screened by existing vegetation) the LVIA considers effects on visual amenity to be therefore negligible and SBC agree with this conclusion.

In considering views from Thornaby Road directly east of the site as shown in Photograph 6, the impact would be greatest during the construction phase and is considered to be significant and adverse rather than moderate adverse as stated in the LVIA. However as mentioned above SBC consider that the screen planting would take at least 15 years before

any meaningful screening of the development was provided and therefore SBC disagree with the LVIA that the visual impact would be short lived. It is also considered that the 8m wide planted landscape buffer proposed on the landscape Masterplan should be increased to a width of 10-20m to be effective and this is considered in the section below on landscape impact. Similar views of the site would be gained from the location shown in Photograph 7 and it is considered that the site would be visible when viewed from this viewpoint and that the eastern site boundary would be prominent until the proposed screen planting along this boundary has established notably during the construction phase.

Longer distant eastern views of the site shown in Photograph 8 and SBC consider that the site would be visible when viewed from this viewpoint, although views will be in the main be from motorists as there are no footpaths along the road from which the view is taken. Taking this point into account, together with the distance of the view (approx. 0.9 km) it is considered that the development would create only a minor adverse visual impact that would reduce as the boundary screen planting developed.

Views southeast of the site are shown in Photograph 11 from the public footpath ref FP2 Maltby and given the distance of the view (approx. 0.6km) and the presence of intervening trees, hedges and buildings the visual impact is only considered to be minor adverse.

Close views of the site from the bridleway BR 13 Maltby would largely be blocked by the housing proposed as part of the extant permission and it is considered that views of the site would be minor adverse through gaps in the existing hedge (that grows along the northern edge of the bridleway) across the football fields proposed as part this consent. The proposed boundary planting on the southern site boundary of this development would further soften these views as it grows.

Longer distant views of the site from the south (Photograph 12) would be seen to the north the housing and school proposed as part of the extant consent and therefore views would be blocked by this development. It is therefore considered that the visual impact on these views would be negligible.

Glimpsed views of the site from the west have been identified from the informal footpath on land owned by Stockton Council and from some of the houses in Priorwood Gardens (Photograph 9) and although the existing planting provides some screening of the site, the visual impact on the users of this path it is considered to be minor adverse. Views would be greater in the winter months following leaf fall. Longer distant views of the site from the west would be seen in the context of the existing residential development of Ingleby Barwick with views of the site blocked so it is therefore considered that the visual impact on these views would be negligible.

Landscape impact

In consideration of the LVIA assessment it is noted that without appropriate mitigation the landscape character of the area would be substantially changed from one of open grazing land to one of built development. The landscape character assessment states that the area has a low sensitivity to change. Whilst new planting is proposed to soften the impact of the development this mitigation would not provide any visual screening from the day of opening up to a period of 15 years or longer if appropriate maintenance is not undertaken. The Indicative Landscape Masterplan ref TAG 5 indicates boundary planting designed to soften the impact of the development ranging from a landscape Habitat/buffer zone on the eastern boundary of 8 m supplementing an existing hedgerow, to smaller buffers on the northern

and southern boundaries of 4 m width. An 8 m wide landscape Habitat/buffer zone is also planned on the western site boundary but appears to form part of the existing woodland buffer. Any buffer planting on this western boundary should form part of the development site and not utilise the existing woodland planting.

It is considered that a buffer zone varying in width from 10 - 20m of actual structure planting and incorporating the existing hedge planting should be provided on the eastern and south eastern site boundaries to provide the necessary screening of the proposed houses and to assist their integration into their surroundings and maintain the character of the remaining green wedge. The effectiveness of the planting buffer could be increased by the use of mounding. It is noted that the buffer planting along the south east boundary needs to be illustrated on the Indicative Landscape Masterplan. If this buffer planting is implemented then on maturity the impact on the existing landscape character would not be significant as a depth of green wedge remaining at approximately 350m width is retained and the development is screened (detailed comments on the impact of the development on the green wedge are provided in the section below). It is noted that the site currently has a low sensitivity to change but with the appropriate mitigation it is considered that this new development would in the long-term be integrated into the landscape as such the change in the sensitivity is also considered to be not significant. This conclusion is made as the existing housing at Ingleby Barwick is visible in views and must therefore be considered in assessing sensitivity of development on the site. The buffer planting in this location would afford screening to both the existing houses in Ingleby Barwick and the new development. It is therefore considered that the 8m buffer zone proposed on the Masterplan would not be wide enough to achieve the desired landscape screening outlined above and the visual impact on the existing landscape character would therefore be significant.

Housing numbers may have to be reduced to accommodate the required 10 - 20m wide landscape buffer. The requirement for the increased landscape buffer zones would require the applicant to agree revised wording for the application so as to agree a maximum figure of 550 houses subject to the provision of the required buffer planting.

The buffer planting should be in the form of a native woodland block style. All tree and shrub species used on the site should be comprised of native planting of local provenance with an element of evergreen planting.

The buffer planting should be located within open space and not form part of individual residential plots and managed to ensure its long term retention (see section on maintenance).

Within the site, the landscape Masterplan and LVIA assessment allow for boulevard tree planting along the main spine roads to further soften views of the site. The Local Highway authority could consider adoption of Street Trees subject to agreement of details and maintenance costs. Further details are noted below under Street Trees.

The existing water course that runs through the site is integrated into the landscape proposals to run alongside a linear area of open space. Existing hedgerows are retained and enhanced (with new planting) within the scheme to maintain site character including those that follow the water course. Footpath links together with cycleways are planned through the areas of open space and along the watercourse and these should link to the existing footpath network in Ingleby Barwick.

The site is accessed from the south via the consented residential development and it is noted that the landscape Masterplan mistakenly shows a second access out from the north eastern corner of the site. A tree lined boulevard should link the two developments.

Areas for Sustainable Urban Drainage (SUDs) are also likely to be required to achieve green field run off rates. This matter is considered within the Flood Risk Management comments. The inclusion of SUDs may also affect housing numbers.

Impact on the Green Wedge

The site is located in the western section of the Green Wedge that is designated to separate Ingleby Barwick from the Teesside Industrial Estate in Thornaby. It is considered that the open character of this part of the Green Wedge would be irrevocably changed by this development, changing the landscape from one of open fields to housing. However at the recent planning appeal for the extant permission for houses and school to the south of this site, the planning inspector concluded that the existing green wedge 'has little to offer in terms of landscape quality'. He also concluded that 'the degree of harm that the previous application would cause to the green wedge designation would be limited'. The inspector also considered that a properly designed landscape buffer be provided to act as an edge and screen to the development. Whilst a further loss of part of the Green Wedge would be a direct consequence of this application the provision of a landscape buffer zone of minimum width 10 - 20m as proposed in this application would act as an edge and screen to the development in line with the Inspectors recommendations and retain approximately 350m of green wedge (between the eastern edge of the development and Thornaby Road) and therefore in line with the Inspectors decision that the function of this green wedge in this location is retained. An existing hedgerow is used to define the limits of incursion into the Green Wedge. The use of this existing landscape feature to define the limits of development is considered reasonable. Notwithstanding that, this incursion changes the character of the area.

Planting Strategy

The parameters plan regarding landscaping Indicative Landscape Masterplan ref TAG 5 is in broad accordance with the Inspectors decision regarding a landscape buffer but the width on the eastern boundary must be increased to a minimum width 10-20m. A condition should be added to any recommendation for approval that requires that full landscaping details will be required to be agreed. This should include full long-term management details for the planting.

Street Trees within the Adopted Highway

The layout proposes some tree planting on green corridors along the highway and some green corridor footpath links. It is assumed that these trees will not form part of the adopted highway. If the trees are to be placed within the corridor offered for adoption under S38 of the Highway Act, then the Local Highway Authority (LHA) could (subject to agreement of details and commuted sums) accept Street Trees and other functional vegetation in highway verges. The informative section includes details on highway street trees.

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 development. It is considered for site that 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 mounds around the site to enhance the screening capacity of the proposed woodland planting and level areas for recreational areas and SUDs. This requirement would need to be conditioned.

Existing Site Trees

A full tree survey including an Arboricultural Impact Assessment' should be undertaken of any existing trees on site as their retention would help assimilate the development into the site. BS5837 Trees in relation to design, demolition and construction 2012 is the appropriate Code of Practice for the assessment and the production of a The Tree Protection Plan and Arboricultural Method Statement. This requirement would need to be conditioned.

Open Space Provision

An area of public open space (POS) with suitable buffer zones and in line with the open space standards should be provided to serve the needs of active recreational pursuits. The indicative Masterplan identifies one area of longitudinal open space within the development at size 0.63ha. So as not to cause a nuisance to future neighbouring properties this shape must take the form of a square, level and well drained area of a minimum size 0.6ha set within a wider POS of 1.0ha. The POS must also accord with the PPG 17 calculator as set out in the SPD 2 Open Space, Recreation and Landscaping. To provide a reasonable estimate of area the following calculation is based on 550 no. houses with a split of 50 no. 3 bed houses, 450 no. 4 beds and 50 no. 5 beds and would equate to an area of amenity green space of 2.29 hectares, 1 play unit and 1.32 hectares of allotments and as it would be development in excess of 1000 people a strategic approach would be required to determine if outdoor sports facilities were required on the site.

At reserved matters stage the actual numbers of property types would be used to calculate the actual open space provision. It is therefore considered that the area of open space provided on the landscape Masterplan does not satisfy these criteria both in terms of size and shape and the plan should be amended to provide such a suitable area. When redesigning the open space the 'active' area should not be adjacent to any major roads or other hazards and buffer planting would be required if this area abuts the existing stream. The Masterplan should be designed to reflect this requirement prior to determination of the application.

The POS should also include a fixed play area of approximately 0.25 ha. Details for a formal area of play within the development details are provided in the informative section.

Maintenance

The open space areas including the buffers zones and any Sustainable Drainages Areas (SUDs) will have be maintained and managed in perpetuity. This may be through Title Transfer to SBC or through a management company or other appropriate organisations as deemed acceptable by the LA if not transferred to SBC.

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

Summary

In summary it is considered that the existing open character of the Green Wedge designation where the development is planned would be irrevocably changed by the development from one of open fields to built development. However the provision of a landscaped buffer zone varying in width between 10 - 20m of structure planting should be provided on the eastern and south eastern site boundaries to provide the necessary screening of the proposed buildings, assist their integration into their surroundings and retain the character and functionality of the remaining area of green wedge. The 8m wide buffer proposed on the landscape Masterplan is not deemed sufficient. The increase in buffer planting along the south east boundary must be illustrated on the Indicative Landscape Masterplan to match the eastern boundary.

Until the planting matures, the proposed development would have a significant and adverse impact on the Green Wedge designation. This development would also change the character of the local landscape. However, on maturity of the recommended buffer planting, the impact of development on the local landscape character is not considered to be significant.

It is considered that the area of POS indicated on the Indicative Masterplan TAG 5 is not acceptable both in terms of size and shape for the development and the plan should be amended to provide a suitable area.

The increase in POS provision and the buffer planting is likely to reduce the yield of the site in terms of housing numbers.

Built Environment

The proposed application should consider good practice urban design principles in relation to treatment of the proposed built environment. Proposals should be in accordance with SPD 1: Sustainable Design Guide and follow guidance set out in Building for Life and the Homes & Communities Agency's document Quality Reviewer 'Appraising the design quality of development proposals'.

The applicant should consider and have regard to the following issues as a minimum when designing their scheme:

- The movement and legibility of the development;
- Quality and longevity;
- Architecture and townscape, including layout, character, proportions and materials;
- The scale and massing of proposed buildings;
- Creating a sense of place and identity;
- Adaptability and resilience;
- Safety and security.

Environmental Policy

No information has been provided on renewables or energy supply / demand. Whilst it is accepted that detailed design proposals may not be expected at this stage, the broad principles of achieving compliance with Core Strategy Policy 3 (CS3 – Sustainable Living

and Climate Change) through carbon reduction measures and incorporation of renewable energy supply are required. A condition should be added to any recommendation for approval that requires how compliance with Core Strategy Policy 3 .will be achieved.

Flood Risk Management

Flood Risk Management comments to be provided in a separate report.

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.

' Noise disturbance from adjacent road traffic

In order to ensure that noise is not a constraint on the development, the mitigation requirements as detailed in the Noise Assessment must be implemented.

' Open burning

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

' 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.

Northern Gas Networks

No objections

Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

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 planning application does not provide sufficient detail with regards to the management of foul and surface 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 and surface 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.

The Developer should develop his Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- o Soakaway
- o Watercourse and finally
- o Sewer.

If sewer is the only option the developer should contact Niki Mather (tel. 0191 419 6603) at this office to arrange for a Developer Enquiry to ascertain allowable discharge points and rates.

For information only

We can inform you that a trunk main and a raw water main cross the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We will be contacting the developer/agent directly in this matter, however, for planning purposes you should note that the presence of our assets may impact upon the layout of the scheme as it stands.

It is important that Northumbrian Water is informed of the local planning authority's decision on this application. Please send a copy of the decision notice.

Highways Agency

Presently there is insufficient information contained within the supporting documents to enable the Highways Agency come to a view regarding the transport impacts of the development on the A19 and A174. Therefore please find attached a TR110 directing that planning permission not be granted for a specified period of time (2nd July 2014).

Please be aware that the Agency has been in pre-application discussions regarding the development proposals, and we will continue to work with them throughout the application process.

Natural England

Thank you for your consultation on the above dated and received by Natural England on 16 December 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. The Wildlife and Countryside Act 1981 (as amended) The Conservation of Habitats and Species Regulations 2010 (as amended) 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

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect Page 2 of 2 the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk. 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 sites If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site 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. We would be happy to comment further

should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

Spatial Plans Manager

The development plan currently comprises the:

- Stockton-on-Tees Core Strategy DPD (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 designated as green wedge on the 1997 Local Plan Proposals Map. Green wedge designations have not been altered on the Core Strategy Strategic Diagram.

You will also be aware that the Council consulted on the Regeneration and Environment LDD preferred options document and associated documents including the policies map in the summer of 2012. The policies map shows that the site is designated as green wedge in the emerging LDD.

Point 3 of Core Strategy Policy CS10 'Environmental Protection and Enhancement' is a key consideration as the site is located within the green wedge.
The National Planning Policy Framework (NPPF)

The NPPF is a significant material consideration in the determination of planning applications. Paragraph 14 states 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:
 - o 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
 - o 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).

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. The three dimensions of sustainable development are economic, social and environmental.

The NPPF core planning principles include making every effort to 'identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.' The 1st bullet point of NPPF paragraph 47 states that to boost significantly the supply of housing local plans should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this

Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period'. 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 covers the period 1st October 2013 to 30th September 2018 and concludes that the Borough has a supply of deliverable housing land of 4.23 years with a 20% buffer added (with the shortfall being 559 dwellings).

The guidance in the NPPF states that a 5% or 20% buffer must be added to the supply of deliverable sites, depending on whether or not there has been a record of persistent under-delivery of housing. The issue of whether to add a 5% or a 20% buffer was debated at the Low Lane, Ingleby Barwick Public Inquiry. The inspector commented on this in his report as follows: 'Over the CS plan period, the Council agreed that there has been persistent under-delivery' (paragraph 11.3). In the context of the Inspector's Report it is now considered necessary to add a 20% buffer to the requirement for a five year supply of housing sites.

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.

As part of application for the Free School and housing to the south west of the current proposal the council advanced an argument regarding the ability of the proposal to deliver housing quickly enough to alleviate the current difficulties with housing supply. The inspector, in determining the appeal, stated that delivery is largely a matter for the market but noted that evidence is that Ingleby Barwick is an attractive location to house builders and prospective occupiers. In conclusion the inspector stated that 'the doubts about delivery raised by the Council bear little on the weight to be attached to the benefits inherent in the provision of market and affordable housing'.

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. The sustainability of the wider site was assessed as part of the sustainability appraisal of the Regeneration and Environment LDD with the site performing well. In this regard the Council consider the location to be a sustainable location for housing development in principle.
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 geo-diversity, 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’.

Community Facilities

The proposal will need to be assessed in relation to Core Strategy Policy 6 (CS6) – Community Facilities. The third point of this policy is that of most relevance and 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 Supplementary Planning Document.’ Whilst the proposal is in outline and details such as layout have not been submitted in detail you should be satisfied that open space can be delivered in accordance with the provision standards identified within the Open Space, Recreation and Landscaping SPD.

The proposed master-plan identifies that 0.63 ha of public open space will be provided, alongside 0.89 ha of retained woodland and 1.53 ha of buffer planting. This is in comparison with the following requirements for on-site provision within the Open Space, Recreation and Landscaping SPD for a development of the scale identified within the submitted Design and Access statement of 550 dwellings (137 x 2 Bed, 275 x 3 Bed and 138 x 4 Bed):

- Amenity greenspace: circa 2.3 ha
- Play: circa 1 play unit
- Allotments: circa 1.3 ha
- Outdoor Sports Facilities: For developments of over 1000 people a strategic approach is required to determine if outdoor sports facilities are required on site.

As previously stated whilst the proposal is in outline and details such as layout have not been submitted in detail you should be satisfied that open space can be delivered in accordance with the provision standards identified within the Open Space, Recreation and Landscaping SPD. In considering this I would draw your attention to paragraph 4.17 of the SPD.

‘the requirement for amenity space excludes land set aside purely to provide an attractive setting and/or landscaping function, which will normally be expected to be provided by developers in addition to that required under this standard, and as normal design requirements. Highway verges, utility corridors, sustainable drainage systems (SUDS) noise attenuation bunds and the open space provided as visibility splays will not be counted toward open space provision.’

It should be noted that there is flexibility within the provision standards where this leads to a better design as stated within paragraph 4.3 of the SPD:

‘Standards are not intended to be applied mechanically in cases where a better outcome may be achieved through amending them. Where there is a need for effective place making

or a particular approach to urban design it may be justifiable to seek alternatives to the standards. However, this should be driven by a desire for innovative design rather than the avoidance of providing suitable on site open space. In these cases open space standards can still provide useful guidance.'

It is suggested that the level of open space be agreed as part of the application in accordance with the Open Space, Recreation and Landscaping Supplementary Planning Document.

Landscape and Visual Impacts

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 geo-diversity, 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'.

The Stockton-on-Tees Landscape Character Assessment and Capacity Study (July 2011) provides the evidence base to consider the proposal in landscape terms. The site is located in an area with medium landscape capacity (Site SLCA0045 – Landscape Capacity Assessment). Landscape capacity is the ability for the landscape to accommodate change without significant impact. A Landscape and Visual Impact Assessment has been undertaken in support of the application.

Development on unallocated sites

The proposal will need to be assessed in relation to saved Local Plan policy HO3: Development on unallocated sites. The policy states that residential development may be permitted and then lists the criteria that this is subject to. The following criteria are not met by the proposal:

- The land is not specifically allocated for another use,
- It does not result in the loss of a site which is used for recreational purposes,
- It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- It does not result in an unacceptable loss of amenity to adjacent land users.

Environmental protection and enhancement

The proposal will need to be assessed in relation to Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement. Point 3 of policy CS10 states that '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... Green Wedges within the conurbation...' The site is located within the Bassleton Beck Valley between Ingleby Barwick and Thornaby. The proposal will introduce development within the green wedge which will impact upon the openness and amenity value of the green wedge at this location. Therefore, the proposal is contrary to point 3 of Core Strategy policy CS10 and saved Local Plan policy HO3.

The applicant's supporting Planning Statement states 'the Development Plan is silent (shown as white land in the Core Strategy) and out of date (due to paragraph 49)' and similarly 'The majority of the site is not shown as a Green Wedge within the Core Strategy'.

In considering the appeal for the Free School and housing the Inspector accepted that the site lies within the designated green wedge. The green wedge policy within CS10 is an environmental policy. It is not a housing supply policy. It is part of the adopted Development Plan and fully up-to-date. The absence of a five year supply of housing land does not lessen the value that should be attached to the role and function of the Bassleton Beck Green Wedge.

Clearly an assessment of the application in the context of the impacts on the Green Wedge needs to be cognisant of the Secretary of State for Communities and Local Government's determination of the recovered appeal for application 12/2517/OUT for a Free School and housing to the south west of the current proposal. The Report of the Inspector to the Secretary of State stated at paragraph 11.1:

'Put simply, the main issue to be considered in this case is whether any harmful impacts that would be caused by the proposals, in terms of the green wedge, the character and appearance of the area, and recreational opportunities, in particular, are outweighed by any benefits.'

In discussing this, the Inspector acknowledged at paragraph 11.6 that development of the appeal site 'would harmfully undermine the existing degree of separation between settlements'. As a consequence the Inspector stated that the appeal site proposal is contrary to Saved Local Plan Policy HO3 and to Core Strategy Policy 1 and Point 3 of Policy

I consider that the Inspector's comment is also relevant to this proposal and that it is contrary to these policies because whilst not directly leading to coalescence between settlements, it would significantly reduce the degree of separation between Ingleby Barwick and Teesside Industrial Estate.

The Inspector continued at paragraph 11.7 that whilst the appeal site has little to offer in terms of landscape quality, 'it is axiomatic that the loss of open agricultural fields to development would harm the character and appearance of the area concerned'. As a consequence the Inspector stated that the appeal site proposal is contrary to Saved Local Plan Policy HO3 and to Point 8 of Core Strategy Policy 3. I consider that there is direct read across to this proposal and that it is contrary to these policies because of the harm to the character and appearance of the area.

The Inspector then referred (at paragraph 11.10) to paragraph 14 of the Framework, stating that it is necessary to assess the degree of harm that would be caused and finding that although the degree of separation would reduce, the remaining open land 'between these settlements would be sufficient for them to remain readily perceptible as separate entities' and that as the appeal site would be part of Ingleby Barwick a sense of separation from Thornaby would remain.

Taking the above into consideration it will be necessary to consider the harm caused by the development. In considering the harm that would be caused by the proposal, it will be necessary to consider the impact of the proposal on separation and openness, amenity value, landscape quality, the natural environment and the historic environment.

Point 6 of CS10 states that 'joint working with partners and developers will ensure the successful creation of an integrated network of green infrastructure.' Secondary green infrastructure corridor I 'Bassleton Beck, Thornaby Wood to A174' identified within the Stockton-on-Tees Green Infrastructure Strategy (November 2011) follows Bassleton Beck

and separates the existing built development at Ingleby Barwick from this proposal. Consideration needs to be given to the impact of this proposal upon the green infrastructure corridor.

Housing mix and affordable housing

The proposal will need to be assessed in relation to Core Strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision. Point 2 of policy CS8 states that a more balanced mix of housing types will be required, in particular 2 and 3 bed roomed bungalows and executive housing as part of housing schemes offering a range of house types. The design and access statement in support of the application identifies that the proposal will deliver a mix of 2, 3 and 4 bedroom dwellings and that there will be the opportunity for retirement housing. It is acknowledged that the mix of housing does not form a part of this application.

The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual affordable housing shortfall of 560 dwellings for the borough of Stockton-on-Tees. This includes an annual requirement for the Ingleby Barwick housing sub-division of 81 dwellings. Given that the average annual housing requirement for the borough for dwellings of all tenure types is 555 dwellings it is clearly not realistic to meet the TVSHMA requirement in full and this is recognised in the annual affordable housing targets set by Policy CS8. However, the policy also states that the targets are minimums, not ceilings.

The planning statement in support of the application states that 15% of dwellings will be affordable housing which is in accordance with the requirements of Policy CS8. This is welcomed and is a significant material consideration in support of the application.

No reference is made with regards to the mix of affordable housing. The TVSHMA recommends a mix of 30% intermediate and 70% affordable rented tenures. This has informed emerging Policy H3 in the Regeneration and Environment LDD Preferred Options.

Retail Provision

Included within the proposal is a local centre with retail and associated services up to 2,500 m²). Core Strategy Policy CS5 'Town Centres' states that 'No further allocations for retail development will be made other than those in or on the edge of the Town Centre during the life of the Core Strategy'. However, saved Alternation No1 to the Adopted Local Plan Policy S15 states that 'Within major new residential and employment developments, where no similar facilities exist within a reasonable walking distance, developers will be expected to provide an element of convenience retail development at a scale to be agreed by negotiation.'

Should residential development be supported there would, combined with the existing extant consent, be up to 900 homes at this location. Given the scale of residential development retail provision could be acceptable within the site. The scale and nature of any provision should be tailored to meet the needs of this new population and be complimentary of existing provision. In this regards it is considered that a small scale neighbourhood centre may be appropriate.

The closest existing retail centres to the development are Beckfields Neighbourhood Centre and Ingleby Barwick Local Centre. Beckfields Neighbourhood Centre contains 9 units of which a significant proportion are now takeaways; this brings into question the demand for A1 in this location. It is envisaged that residents in the proposed properties will generally

follow the shopping habits of other people in the Borough and that they will use existing facilities for their main food shopping.

Considering the above matters it is considered that there is likely to be a degree of demand for local convenience retail. However, this demand is anticipated to be relatively low given the proximity of Beckfields Neighbourhood Centre and the level of housing proposed. Therefore, it is considered that the provision of a small convenience store below the legislative limits that permit all day Sunday trading alongside a very small number of units for convenience facilities (principally A1) would be appropriate. It might be considered appropriate to secure the agreed scale and make-up of units by planning condition.

It should also be noted that the thrust of health and planning policy is toward restricting young people's access to unhealthy food and drink options – often purchased before, after and during the school day. In this regard, I would direct you to emerging Regeneration and Environment LDD policy TC10 'Proposals for Hot Food Takeaways'.

The quality of agricultural land

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

Best and most versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). It needs to be taken into account alongside other sustainability considerations when assessing planning applications. Local site specific surveys were undertaken in 1988 and 1999. The latter of these two surveys covered the application site and assessed it as grade 3b agricultural land. Therefore, the site is not considered it be the best and most versatile.

Relationship to the NPPF and the emerging Development Plan

The Regeneration and Environment Preferred Options

The Council has recognised that because of changing economic circumstances the housing strategy in the adopted Core Strategy will not deliver the housing requirement for the Borough. For this reason the Council decided to undertake a review of the strategy which was incorporated in to the draft Regeneration and Environment LDD preferred options consultation (2012).

Emerging Strategic Policy SP4 – Green Wedge

Strategic Policy SP4 – Green Wedge continues the approach to green wedges found in Core Strategy Policy 10. The policies map that accompanies the LDD shows the site as green wedge. The application is contrary to emerging policy SP4. However, due to the number of objections to the policy and the statement in paragraph 216 of the NPPF, only limited weight can be attached to the policy. It should also be noted that the council have sought to remove the green wedges from the limits to development to increase the protection afforded to the green wedges. This was undertaken as a direct result of responses made to the Regeneration DPD Issues and Options.

Plan-led approach

The NPPF states that planning should be genuinely plan-led and empower local people to shape their surroundings and set out a positive vision for the area (Paragraph 17). Furthermore, strong community support has been expressed through the responses to the consultation on the Regeneration DPD Issues and Options for retaining green wedges and strengthening their designation.

The site is designated as green wedge in the adopted development plan and this designation is being carried forward through the emerging development plan and this has community support. There is clearly a tension between releasing the site for housing development and the core principle in the NPPF that states that planning should be genuinely plan-led. However, recent decisions by the Secretary of State suggest that this principle is being accorded less weight than the need to demonstrate a five year supply of deliverable housing sites.

Master-planning

The Proof of Evidence of the Council's Spatial Planning Manager for the Free School site stated that the appeal site is not needed for housing and that if it ever should be the case that it is needed for housing then this should be achieved through a master-planning approach. Only through a master-plan led approach in partnership with the Council can the ethos of the Localism Act be respected through fully engaging with the relevant core planning principles (empowering local people, be a creative exercise, high quality design and amenity and take account of and support local strategies) of NPPF paragraph 17 and the priority accorded to the provision of facilities in Ingleby Barwick (Core Strategy Policy CS6 (1), be fully engaged.

This remains the Council's preference. However, it is acknowledged that the Inspector commented at paragraph 11.25 of his report that should proposals come forward then 'I see no good reason why they could not be successfully integrated with the proposals at issue here, especially when detailed design of the layout will be addressed through the reserved matters.' The provision of community facilities including a local centre is welcomed. However, a further development proposal to the east of this proposal has now come forward. Notwithstanding the Council's preference for retaining the land as green wedge, it will be important to ensure that the location of community facilities is co-ordinated between the proposals as well as of course access arrangements.

Summarising comments

The starting point for consideration of the application is the adopted development plan. The application is contrary to the adopted development plan. However, the Council accepts that it is not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added. 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 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; if implementation begins within a five year timeframe it would make a

contribution towards the five year supply of housing; the provision of affordable housing would contribute to reducing the annual net shortfall of affordable housing identified in the TVSHMA; and it would contribute towards achieving economic growth. Meeting housing need and demand and driving economic growth are clearly both key national priorities.

Turning to the potential adverse impacts, the proposal is contrary to the following adopted development plan policies:

- Point 8 of Core Strategy Policy 3
- Point 3 of Core Strategy Policy 10.
- Points i, iii, iv and v of Saved Local Plan Policy HO3.

However, it is clear from the Inspector's Report for the Low Lane appeal that, in the context of NPPF paragraph 14, the key issue in relation to these policies is not the fact that there is conflict with these policies but the degree of conflict. The case officer will need to carefully consider the degree of conflict with the role and function of the green wedge, the character and appearance of the area and recreational opportunities and whether the harm outweighs the benefits of the proposal. For the reasons set out in the environmental protection and enhancement section of these comments, the Spatial Planning team have not identified harm of a degree that outweighs the benefits. Finally, it is essential that that if outline planning permission is granted, then the subsequent detailed application is considered in tandem with the detailed application that will be submitted for the Free School site.

The Environment Agency

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

Condition 1: Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Ref: 13/3107 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated up to and including the 100 year (plus 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.
2. The discharge should be restricted to the equivalent greenfield runoff rate for the undeveloped site of 48.3 l/s. Attenuation will need to be provided for rates above this as stated in section 7.8.5.

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 reduce the risk of flooding to the proposed development and future occupants.

Condition 2: Buffer Zone

No development shall take place until a scheme for the provision and management of an 10 metre wide buffer zone (measured from the bank top) alongside both sides of the Bassleton

Beck shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- o plans showing the extent and layout of the buffer zone
- o details of any proposed planting scheme (for example, native species)
- o details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- o details of any proposed footpaths, fencing, lighting etc.
- o where a green roof is proposed for use as mitigation for development in the buffer zone ensure use of appropriate substrate and planting mix.

Reasons

Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises 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, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Northumbria River Basin Management Plan.

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

Biodiversity

Due to the large scale of the proposed development, we would expect the development proposal to provide significant biodiversity gains. This approach reflects the objectives of 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 also 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.

We recommend that the proposed development incorporate the following measures:

- o The continuation throughout the development site of the green corridor that runs from the north along the Bassleton Beck. This could follow the Bassleton Beck or the other watercourse that runs through the site. It should retain at least the minimum width of 80m as is present to the north.
- o Retention, and incorporation into the site layout, of the woodland to the north of the site and the various hedgerows within and adjoining the site.
- o The creation of Sustainable Drainage System features with biodiversity value such as ponds and reed beds.
- o There is also the opportunity to retain lowland meadow (as recorded in the Phase 2 survey) and/or create new lowland meadow.

Sustainable Drainage Systems - Advice to LPA/applicant

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

Further information on SuDS can be found in:

- 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

The application form indicates 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.

Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application No. 13/3107/OUT. Ingleby Barwick Town Council OBJECTS to this proposed development on the following grounds:

- Development within the Designated Green Wedge

The proposed development would be an intrusion into the designated green wedge. The Bassleton Beck Valley is an important open space which provides and maintains the separation between the communities of Ingleby Barwick and Thornaby. The green wedge not only improves the appearance of the area but also allows each community to maintain its own identity. Given the approval of planning application no. 12/2517/OUT granted on Appeal for the erection of Ingleby Manor Free School and Sixth Form as well as 350 dwellings, the current application for 550 dwellings and the anticipated application for 550 dwellings on the adjacent site, this will give rise to a total of 1,450 dwellings.

The scale and nature of this current proposal for 550 dwellings would have a severe detrimental impact on the open character of the area.

- Protection of Wildlife

The area contains wildlife habitats which should be protected.

- Lack of Infrastructure

Highways The traffic which would be generated from this proposal would have a significant impact on the already congested road network, at peak times, in and around Ingleby Barwick, which is already struggling to cope.

Road Safety Concerns are raised in respect of road safety issues, with particular regard to access to and from the development.

Education The additional houses will undoubtedly generate more children, of both primary and secondary school age. This will put further strain on our existing schools and give rise to a shortage of school places which is a major concern.

Health Care Facilities There will be a major impact on access to health care services such as the local doctors and dental surgeries which are already stretched. Concerns are also raised in respect of an impact on the local hospitals.

Amenities - Supermarket, Shops, Leisure Activities & Facilities, etc. Additional development will put a strain on the existing amenities.

- General Comments

It is noted that the 'Principles of Development - The Overall Strategy' in the Master Plan for Ingleby Barwick dated May 1977 proposed seven villages, each with a primary school and local facilities etc. Little Maltby Farm was identified in the original Master Plan as Village 3 however this was removed from the development area when the Master Plan was revised in 1991. Given the current proposals and the proposed development, this area would now constitute 'Village 7'. If the proposal is allowed to go ahead it should be ensured that the 'principles of development' contained in the original framework are adhered to in order that the concerns highlighted above, are taken into account. The Town Council hopes that the Planning Committee will give the above comments due consideration when determining this application.

Tees Archaeology

Thank you for the consultation on this planning application.

The application includes a report on an archaeological desk based assessment. This report indicates that the site has a high potential, particularly for prehistoric and Anglo-Saxon period remains. It concludes that further archaeological work is necessary to properly define this resource and the impact of the development upon its significance.

I made similar comments in a response to the scoping opinion for the site (13/2763/SCO) and in the light of the current report stand by them.

As it stands the application does not meet the information requirements of the NPPF and if further archaeological work is not forthcoming I recommend that it is refused.

I recommend (in line with the advice given in the developers report and my earlier comments) that the site is subject to geophysical survey and trial trenching prior to a planning decision being made to demonstrate the significance of any archaeological features present and the impact of the development upon them (NPPF 128). It would not be reasonable to impose a planning condition at this stage without a proper assessment of the

archaeological resource. Such a condition might be superfluous if an archaeological resource is not present, similarly if significant deposits survive the developer may need to consider options for physical preservation i.e. preservation by record might not be appropriate.

I would be happy to provide a brief for the archaeological works and a list of archaeological contractors who operate in the area.

Private Sector Housing - Mr Dave Dawson

The Private Sector Housing Division has no comments to make on this 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 Design and Access Statement that the developer has made no reference to the provision of affordable housing within the site. In line with the need identified in the SHMA 2012 and Policy CS8 as outlined above there is a requirement for between 15% and 20% of the total housing numbers to be provided as affordable housing. Based on a development of 550 units 15% affordable housing would equate to 82 units and 20% would equate to 110 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 82 affordable units: -

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

Proportion	No. of units	Tenure
70%	57 units	Rent
30%	25 units	Intermediate Tenure
100%	82 units	Total

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

Size	Proportion	No. of units
2 bed	91%	75 units
3 bed	9%	7 units
Total	100%	82 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
75 Units	2 bed	68 x Rented
7 x	Intermediate	Tenure
7 units	3 bed	6 x Rented
1 x	Intermediate	Tenure

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

Stockton Police Station - Eddie Lincoln

If this application is to proceed 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.

Should you wish to apply for Secured by Design certification please complete an application and checklist form, which can be obtained from www.securedbydesign.com Secured by Design SBD New Homes.

English Heritage

Thank you for your letter of 16 December 2013 notifying English Heritage of the scheme for planning permission relating to the above site. Our specialist staff has considered the information received and we do not wish to offer any comments on this occasion. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Conservation and Historic Buildings Officer

The application sits to the further north of the recent planning consent granted on appeal at Low Lane 12/2517/OUT. This planning consent allowed outline planning permission for 350 homes within close proximity to the grade II listed, Little Maltby Farm House.

Little Maltby Farm house is an 18thC farmhouse, two storeys in height and is a designated heritage asset as set out in the NPPF. The current proposal also has the potential to impact on this heritage asset. The application site is separated from Little Maltby Farmhouse by the existing housing approval which runs to the north and west boundaries of the farm house. Therefore, a significant number of dwellings have in principle been granted planning permission in the immediate setting of the farmhouse.

This current proposal is for an additional 550 dwellings to the north of the site beyond the existing housing approval. Due to the nature of the proposal (outline application for residential development of a limited height) and the existing planning approval dividing the site from Little Maltby farmhouse it is unlikely that any additional housing would have an adverse impact on the setting of Little Maltby Farmhouse. However, any detailed proposals coming forward would be expected to describe those heritage assets affected and demonstrate the impact as set out in paragraph 128 of the NPPF. Any such proposals should respect the scale and setting of the listed farmhouse and comply with saved policy EN28 of the Stockton-on-Tees Local Plan.

The proposals at this stage are therefore unlikely to impact on any heritage assets and I raise no objection to this outline application.

Ramblers' Association

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

We note the Pedestrian/ Cycling Access note 8.2 in the Design and Access Statement. However, we think a link from the southeast of the site to the cricket ground and Maltby beyond to connect with the path to Hilton would be of benefit to future residents of the new development. In Para 4.14 iii of the Transport Assessment mention is made of a link with the wider Ingleby Barwick area in the north of the development with an existing PROW. There is no such PROW as far as we can see. An indicative access is shown in Appendix C connecting with Chalfield Close.

PUBLICITY

9. Following consultation with neighbouring properties advertisements in the local press and the display of a site notice a total of 44 objections and 2 letters of support have been received. A separate petition against 'new house building on our green wedge in Ingleby Barwick' has also been set up. It currently has 189 signatures.

Objection comments:

- Loss of greenfield site/green wedge/open space
- Exacerbate existing traffic problems/insufficient access points
- Will lead to shortage of school places particularly at primary level
- Lack of facilities - doctors/dentists/leisure facilities - particularly for young people and older teenagers.
- 5 year supply can easily be rectified by instructing developer to build at rates of 90 dwellings per year
- Ingleby Barwick estate has been over developed
- Loss of privacy
- Loss of house price
- Other brownfield sites available
- Had approval for golf course told the land was reserved for this
- Impact on wildlife
- Issues with drainage
- Noise nuisance from Thornaby Road/ Industrial Estate.
- Will lead to Anti-social behaviour
- With Government's policy on planning application will be approved
- Despite intentions on Localism, local views are ignored.
- Buffer zone is too narrow
- Parent will also use the Priorwood Gardens area to drop children off
- What happen to original concept of villages
- Insufficient information submitted for development of this scale
- If it is to 'go ahead' needs second access onto Thornaby Road

Support comments:

- Ingleby needs more development
- Will bring jobs, money and help local building merchants/boost economy
- Wasted land
- No traffic on Low Lane
- Help address housing shortage

Supporters:

Mr Richard Hall - 1 Stainforth Gardens Ingleby Barwick Stockton-on-Tees

Mr Ben Smith - 1 Hadrian Way Ingleby Barwick Stockton-on-Tees

Objectors:

Mrs Nicola Cowell 99 Marchlyn Crescent Ingleby Barwick Stockton-on-Tees

T A And G C Saunders The Garth High Lane Maltby Middlesbrough

Mr Peter Horner 26 Carew Close Yarm Stockton-on-Tees

Pat Fryett 15 Boar Lane Ingleby Barwick

Neil Fryett 15 Boar Lane Ingleby Barwick

Andrew Graham 2 Hareshaw Close Ingleby Barwick Stockton-on-Tees

Mrs Maureen Logan 18 Brendon Grove Ingleby Barwick Stockton-on-Tees
Louise Baldock - 8 Cribyn Close Ingleby Barwick Stockton On Tees
Mrs Janet Waddell 24 Beningborough Gardens Ingleby Barwick Stockton-on-Tees
Ms Margaret Marlborough 45 Harebell Close Ingleby Barwick Stockton-on-Tees
Miss Jennifer Pemberton 16 Brendon Grove Ingleby Barwick Stockton-on-Tees
Mr Graeme Smith 2 Brownsea Court Ingleby Barwick Stockton-on-Tees
B Thompson 43 Thornwood Avenue Ingleby Barwick Stockton-on-Tees
Mr Eric Hindmarsh 18 Trevine Gardens Ingleby Barwick Stockton-on-Tees
Mr Glyn Pemberton 27 Regency Park Ingleby Barwick Stockton-on-Tees
Daniels 1 Eastbury Close Ingleby Barwick Stockton-on-Tees
Mr Michael Blenkinsop 25 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Mr Clive Harding 11 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Mrs C Short 5 Thorington Gardens Ingleby Barwick Stockton-on-Tees
B Garwood 1 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Miss Angela McCann 2 Buckland Close Ingleby Barwick Stockton-on-Tees
Mrs Lynne Langstaff 29 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Ms Sue Kiddle 27 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Anthony Harrison 20 Simonside Grove Ingleby Barwick Stockton-on-Tees
Mr and Mrs D A Robinson 8 Chalfield Close Ingleby Barwick Stockton-on-Tees
Mrs Christine Arkless 23 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr Malcolm Huggins 21 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Lilian Hedley 31, Stoneacre Avenue Ingleby Barwick
Malcolm Aitken 1 Strome Close Ingleby Barwick Stockton-on-Tees
L And F Keighley 12 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mrs Pauline Topliffe 7 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mrs Helen Hill 34 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr Chris Taylor 31 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr Richard Bytheway 28 Brendon Grove Ingleby Barwick Stockton-on-Tees
Mr David Powell 12 Acorn Bank Ingleby Barwick Stockton-on-Tees
Mr Ian Moss 67 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr G Singh 6 Regency Park Ingleby Barwick Stockton-on-Tees
Peter Hadfield 4 Regency Park Ingleby Barwick Stockton-on-Tees
Mrs Katia Lightfoot 18 Regency Park Ingleby Barwick Stockton-on-Tees
Mr Richard Clements 20 Regency Park Ingleby Barwick Stockton-on-Tees
Wilfred Graham Dunwell 28 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mrs Sandra Wickham 19 Hillbrook Crescent Ingleby Barwick Stockton-on-Tees
Mr And Mrs Huggins Glen Esk Low Lane High Leven Yarm
A W Newton Glen Esk Low Lane High Leven Yarm

PLANNING POLICY

10. 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.
11. 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.

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

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

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

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

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

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

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

2. 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'.

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.

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.

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.

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).

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.

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.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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.

Saved Policy EN28

Development which is likely to detract from the setting of a listed building will not be permitted.

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 HO3

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

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

Saved Policy S15 of the Local Plan Alteration

Planning permission will be granted for new development or limited extensions for small scale retail use outside the Centres listed in Policy S1 provided that : -

- i) the proposal is within defined settlement limits, and
- ii) the facility is intended to serve local needs only, being of a scale appropriate to the locality and being within walking distance of residential areas, and
- iii) the proposal would not give rise to any adverse effect on the amenity of neighbouring properties or on the character of the area, and
- iv) the proposal would not adversely undermine the vitality and viability of any village shop or retail Centre as listed in Policy S1

Within major new residential and employment developments, where no similar facilities exist within reasonable walking distance, developers will be expected to provide an element of convenience retail development at a scale to be agreed by negotiation.

National Planning Policy Framework

13. 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.

14. The following sections of the NPPF are considered to be relevant to the determination of this application;

Section 1. Building a strong, competitive economy

Section 2. Ensuring the vitality of town centres

Section 4. Promoting sustainable transport 9

Section 6. Delivering a wide choice of high quality homes

Section 7. Requiring good design

Section 8. Promoting healthy communities

Section 10. Meeting the challenge of climate change, flooding and coastal change

Section 11. Conserving and enhancing the natural environment

Section 12. Conserving and enhancing the historic environment

MATERIAL PLANNING CONSIDERATIONS

15. The main material planning considerations of this application are compliance with planning policy and the impacts of the proposed development on the visual amenity of the locality; setting of a listed building; amenity; access and highway safety; features of archaeological interest, protected species; flood risk and other matters arising out of consultation.

Principle of development;

16. The NPPF sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth. Paragraph 47 of the NPPF details the importance the Government attaches to boosting significantly the supply of housing. Paragraph 49 goes further by stating that when a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. Paragraph 215 also states that weight should be given to those policies in existing development plans according to their degree of consistency with the NPPF (i.e. the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

17. In terms of Local planning policies there are no specific designations which apply to this site other than its allocation as Green Wedge under policy CS10 of the Core Strategy. A number of other local planning policy considerations are relevant and these are discussed in the report below along with those relevant considerations from the NPPF.

The supply of deliverable housing land

18. The five year housing supply assessment for the Borough is currently being updated on a quarterly basis the latest update covers the period 1st October 2013 to 30th September 2018 and concludes that the Borough has a supply of deliverable housing land of 4.23 years with a 20% buffer added (leaving a shortfall of 559 dwellings). Consequently the Council cannot demonstrate a 5 year supply of housing land and the Council's housing supply policies are therefore out of date. Therefore this 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.

19. In considering the views of both the Planning Inspector and the Secretary of State in determining the recent appeal decision. It becomes all the more clear that the lack of a five year housing land supply is a both a significant and strong material planning consideration which weighs in favour of this application for additional housing. Accordingly this must be weighed against the harm that would occur to the development plan policies such as those which seek to preserve the green wedge, the character of the area and any recreational value the site has.
20. Whilst it is acknowledged that there are many brownfield areas within the Borough that could accommodate a similar scale of development. The NPPF is clear that if a five supply is not available then housing sites must be brought forward through either the development plan process and/or through planning applications, no definite distinction is made between brown and greenfield sites and this alone is not considered to cause such significant harm it would justify a refusal of the application on its own merits.

Environmental protection and enhancement

21. Core Strategy Policy CS10 seeks to ensure that the separation between settlements is maintained and that the quality of the urban environment is protected. Saved Policy HO3 also seeks to protect sites which have a recreational value and preserve the character of the locality. Given that the proposal introduces a level of built development into an undeveloped area of the green wedge which harm will result in to the sites openness, character and amenity value and the scheme is contrary to the aims of these policies.
22. In making an assessment of the impacts on the Green Wedge it is prudent to be cognisant of the Secretary of State's decision for a Free School and housing to the south west of the current proposal. Whilst it was accepted that development of the appeal site 'would harmfully undermine the existing degree of separation between settlements', he was satisfied that sufficient land remained between the two settlements and that the appeal proposal would be seen as part of Ingleby Barwick. Furthermore the Inspector concluded that the degree of harm that would be caused to the character of the area would be limited, particularly as the Council has sought to address their housing supply shortfall by granting or expressing a willingness to grant planning permission for housing on other similar sites on the edge of settlements.
23. Taking the above into consideration it is considered that the proposed development would ensure that there would remain some separation between Ingleby Barwick and Thornaby (Teesside Industrial Estate) and that the application site would be readily seen against the back drop of Ingleby Barwick particularly given that the free school and associated housing predominately sits in front of (to the south) of the application site. Consequently the impacts of this development on the openness, amenity value, and landscape quality of the site are considered to be limited.

Housing mix and affordable housing

24. Core Strategy Policy 8 (CS8) sets out considerations in respect of housing mix and affordable housing provision it encourages a mix of housing types and sizes and whilst

information is included within the supporting documentation such matters will be considered as part of a reserved matters application.

25. However policy CS8 also sets out the need for affordable housing and sets a target range of 15-20%. The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual affordable housing shortfall of 560 dwellings for the borough including an annual requirement for the Ingleby Barwick housing sub-division of 81 dwellings. The planning statement in support of the application states that 15% of dwellings will be affordable housing which will equate to 82 units such provision is welcomed and in view of the existing shortfall across the borough and Ingleby Barwick is a significant material consideration in support of the application.

Retail Provision

26. Included within the proposal is a local centre which identifies provision for retail and associated services it proposes a total floor space of up to 2,500sqm. Core Strategy Policy CS5 promotes the vitality and viability of defined retail centres while saved Policy S15 of the Local Plan Alteration allows provision for small scale convenience retail development.
27. Should the proposed housing come forward a total of 900 dwellings would be consented in the surrounding area, some retail provision within the site is considered acceptable provided the scale is appropriate and would not harm existing retail provision within the area. Such provision should be along the lines of a small scale neighbourhood centre and may include a small convenience store below the legislative limits that permit all day Sunday trading alongside a very small number of units for convenience facilities. Such matters could be controlled via planning condition(s) and it is expected that the total size of such an area (including units, landscaping and associated parking) would be no greater than 2500sqm in area.

Sustainable transport and travel

28. The sustainability of the wider site was assessed as part of the sustainability appraisal of the Regeneration and Environment LDD with the site performing well accordingly the application site is considered to be a sustainable location for housing development, a conclusion that is also consistent with the Secretary of States appeal decision for the neighbouring site.
29. In terms of Sustainable Living and Climate Change policy CS3 requires that residential development meets code level 4 for sustainable homes and that 10% of the predicted energy usage of the development is provided through renewable sources. Both of these elements can be addressed through planning conditions.

Community Facilities

30. Core Strategy Policy 6 (CS6) promotes the provision of community facilities particularly within Ingleby Barwick this includes provision of open space, sport and recreation facilities. Whilst the proposal is in outline and details such as layout would form part of the reserved matters the developer would need to ensure that open space provision is provided in accordance with those standards set out with the Council's adopted Supplementary Planning document on Open Space, Recreation and Landscaping unless a contribution is made to provide such facilities off site. Whilst the concept plan submitted as part of the proposal includes open space in an irregular and linear form, which is considered to be both insufficient in size and not a useable space, there is considered to be sufficient space within the site to accommodate the required provision although this may have implications for the overall housing yield. These open space requirements could be secured through a section

106 agreement and in the event they are not provided, commuted lump sums would be required for improvements to nearby areas where appropriate.

31. As set out above the need for additional retail/service provision is also considered to offer some community benefit and would aid the overall sustainability of the site.

Education provision

32. Several of the objectors raise concerns in relation to the impact of the development on primary school provision, particularly given existing shortfalls in school spaces. From discussion with Education officers, it transpires that although there is the potential for some limited expansion of primary schools within Ingleby Barwick, it is not considered that this would be sufficient enough to accommodate the anticipated primary school children from the proposed housing numbers. Consequently the developer will be required to set-aside an area of land within the site for a new primary school. The area of this site should equate to 19,000sqm. The applicant has confirmed that in principle they are willing to provide such an area, subject to understanding the mechanisms behind the land requirement and that any extensions to existing schools cannot be provided. Although an agreement has yet to be finally agreed such provision could be secured through a Grampian condition and it is not considered that this is sufficient enough to justify a refusal of the scheme. In terms of secondary school provision there is no requirement for a contribution at this stage.

The Regeneration and Environment Preferred Options

33. Whilst it is noted that the Council has some emerging policies that would conflict with the proposed development most notably Emerging Strategic Policy SP4 on Green Wedges the NPPF is clear that only limited weight can be attached to this particular policy.

Summary:

34. In considering the views of both the Planning Inspector and the Secretary of State in determining the recent appeal decision. It becomes all the more clear that the lack of a five year housing land supply is a both a significant and strong material planning consideration which weighs in favour of this application for additional housing. Although this must be weighed against the harm that would occur to the development plan policies which seek to preserve the green wedge, the character of the area and any recreational value the site has the Secretary of State's recent appeal decision gives a strong indication of the planning balance in such cases.

Visual Impact/Impact on the green wedge;

35. In terms of the visual impact of the proposed development, the site adjoins the northern edge of the development that was granted consent for a Free School and 350 residential dwellings. The topography of the site is gently undulating, which gives a relatively flat appearance and is identified as being within an area of medium landscape and visual sensitivity with a medium capacity for appropriate development. As detailed in earlier in this report, the site is also designated as Green Wedge under Core Strategy Policy CS10.

In considering the appeal for the Free School and housing the Inspector accepted that the site lies within the designated green wedge and that development within it would conflict with green wedge policy aims of CS10 by undermining the degree of separation between settlements. However the Inspector also stated at paragraph 11.10 that although the degree of separation between Ingleby and Thornaby would reduce, the remaining land between them would be sufficient to enable them to be seen separate from one another, he therefore concluded the associated harm was limited.

36. Whilst it is noted that there are a number of discrepancies within the Landscape and Visual Impact Assessment, the Landscape Officer considers that that the existing open character of the Green Wedge designation would be irrevocably changed to built development. However with the provision of a landscaped buffer zone (varying in width between 10 - 20m of structure planting) on the eastern and south eastern site boundaries an appropriate degree of screening could be provided. Notwithstanding the above until the planting matures, the proposed development would have a significant and adverse impact on the Green Wedge designation and change the character of the local landscape. However, on maturity of the recommended buffer planting, the impact of development on the local landscape character is not considered to be significant.
37. In assessing the impact of this proposal it should also be noted that the application site would lie adjacent to existing housing within Ingleby Barwick and both behind and alongside the already consented housing and the free school development. Consequently the proposal would be seen against the context of built development to the north, south and west. This effectively reduces the overall visual harm of the scheme in these areas and coupled with an appropriate level of screening to the eastern boundary of the site the visual impacts of the scheme are considered to be limited. This also reflects the conclusion reached by the Secretary of State in his recent decision for the neighbouring free school and housing site.
38. Furthermore, the amount of green wedge which would remain to the east of the site makes it difficult to conclude that there would be a coalescence of the settlements of Thornaby and Ingleby Barwick. In view of these considerations and particularly given the Secretary of States conclusions for the already consented development for the 350 houses and the free school, any associated visual harm is considered to be limited and would be outweighed by the benefits of addressing the current shortfall in the 5 year housing land supply.

Setting of listed building;

39. Little Maltby Farm to the south of the application site is a grade II listed building and would be separated from the application site by the already consent housing which formed part of the combined housing and free school application (ref; 12/2517/OUT). English Heritage do not offer any comments and suggest that the application is determined in accordance with national and local policy guidance, and on the basis of the Authorities own conservation advice.
40. The Historic Buildings Officer comments that whilst this proposal has the potential to impact on the heritage asset of Little Maltby Farm, this application site is separated from Little Maltby Farmhouse by the existing housing approval which runs along the northern and western boundaries of the farm house. Therefore, a significant number of dwellings have in principle been granted planning permission in the immediate setting of the farmhouse. It is therefore considered unlikely that any additional housing would have an adverse impact on the setting of Little Maltby Farmhouse.
41. It is also recognised that the application is made in outline, with details over the scale and appearance of the dwellings being reserved for future consideration. Any impacts on the setting of the listed building would also need to be considered at this stage, but at present it is not considered there would any significant conflict with guidance within the NPPF or saved policy EN28 of the Stockton-on-Tees Local Plan, to justify a refusal of the application.

Amenity;

42. The indicative housing parcels layout shows that the proposed housing would be at nearest approximately 30m from rear of the properties along Priorwood Gardens however this distance varies greatly and reaches a maximum distance of approximately 100m. Little Maltby Farm to the south would be a minimum of approx.130m from the site whilst other properties which front onto Low Lane would be in excess of 160m from the development site. Whilst the final details regarding site layout and the external relationships with existing properties would be a matter for consideration at the reserved matters stage, the indicative drawings provide enough satisfaction that sufficient space exists between these dwellings and the application site to ensure that the proposed development would not have any significant impacts on the amenity of the neighbouring residents in terms of loss of daylight, appearing overbearing or a loss of privacy. Equally the internal relationships between the proposed dwellings would also be assessed at the reserved matters stage to ensure that acceptable levels of amenity are provided for future residents of the proposed development.
43. Short to medium environment impacts such as dust, noise and general disturbance during any associated construction activity could be minimised and controlled through planning conditions should the development be approved and is not considered to be sufficient enough to warrant a refusal of the application.

Access and Highway Safety;

44. As detailed within both the Highways Agency's and Head of Technical Services responses, at present insufficient information has been provided within the applicants supporting information to demonstrate that the proposal will not have a detrimental impact on the highway network. Further work is therefore required to determine the impact of the proposed development on the local highway network, the A19 and A174.
45. Previous work has indicated that there are forecast to be capacity issues on some parts of the network and whilst there are some committed infrastructure improvements to address these issues, no assessment has been made as to whether these measures are sufficient to support additional development.
46. Whilst it is noted that the proposed access would utilise the roundabout junction approved as part of the free school and 350 houses development it is also noted that a separate emergency access is proposed onto Low lane to the east of the roundabout. However, this would increase the number of residential properties and a secondary school accessed from a single access road for up to 900 properties. The Head of Technical Services considers that this number of properties and a school from one vehicular access is not good highway design and the principle of the access remains a concern. This is currently being fully assessed via micro-simulation transport model. The Head of Technical Services considers that a direct linkage with Thornaby Road would improve the balance of vehicular movement through the site and which may make the site more viable for a bus route.
47. Whilst it is acknowledged that the applicant is currently in discussions with highway officers and is working towards addressing these matters, any findings are at present preliminary and it cannot be satisfactorily demonstrated that the proposed development will not have a detrimental impact on the surrounding highway network or the free flow of traffic.

Features of Archaeological Interest;

48. Tees Archaeology have considered the information supplied as part of this application and whilst they note that a desk based assessment has been carried out, the submitted report

indicates that the site has a high potential for prehistoric and Anglo-Saxon period remains and also that further archaeological work is necessary to properly understand the impact of the development on these potential features. It is recommended that a geophysical survey and trial trenching (as necessary) be carried out prior to a planning decision being made, in order to understand the significance of any archaeological features and the impact of the development upon them. It is not considered to be reasonable to impose a planning condition at this stage. Tees Archaeology therefore considers that the requirements of the NPPF have not been met and if further archaeological work is not forthcoming the application should be refused.

49. Whilst the applicant has agreed a brief with Tees Archaeology and has subsequently authorised further work to be undertaken to address the concerns over the lack of information. At this moment in time no information is available to enable an informed decision to be made on the potential impacts on the heritage asset. As advised, such matters would need to be fully resolved prior to a decision being made. The proposed development is therefore considered to be contrary to saved policy EN30 of the Local Plan and also guidance within the National Planning Policy Framework.

Impact on protected species;

50. Natural England have responded to the application and advised that their standing advice should be used to assess the proposed development and its impacts. The application has been supported by a phase 1 habitat survey and additional surveys for badgers and of mature trees which offer the potential for roosting and foraging Bats.

51. In respect of Badger populations, the report advises that the site will not require a badger licence at this time. The report makes a number of recommendations given that Badgers are known to enter the site and it is considered that these are appropriate given the standing advice from Natural England. In terms of Bats it is considered that the site has a high potential for commuting and foraging bats and that the removal of trees and hedgerows are likely to have an effect on bat commuting and foraging. A number of recommendations are made for further survey work should certain trees be pruned or removed. Certain recommendations are also made with respect to maintaining trees and hedgerows. Again these recommendations are considered appropriate at this time. Planning conditions could be imposed to secure the appropriate mitigation work and consequently it is not considered that the proposed development will have any adverse impacts on protected species, so as to justify a refusal of the application.

52. The Environment Agency also have requested that a 10 metre buffer zone be in place alongside both sides of the Bassleton Beck which is free from any development in order to prevent any severe impact on the ecological value of the watercourse. Again it is considered that such matters could be controlled via a planning condition

Flood risk;

53. The Environment Agency has been consulted on the application and has no objections subject to a planning condition being imposed for the development to be carried out in accordance with the submitted Flood Risk Assessment. Northumbrian Water also has no objections to the proposed development subject to a planning condition being imposed for further details in respect of surface and foul water drainage. Both of these matters can be controlled via planning conditions and the proposed development is therefore not considered to pose any significant impacts with regards to flood risk.

Residual matters;

54. Northumbrian Water has also made comments with regards to a trunk main and a raw water main crossing the site. They also advise that they will not permit a building over or close to their apparatus. Given that the current application is in outline the area for development it not yet known, though ultimately it may affect the overall yield of housing that is currently sought.
55. The comments made in support of this application are noted and those associated benefits have been considered within the main body of this report. However the application must be judged on its own planning merits and against those policies of the development plan.
- 56 Concerns raised by objectors relating to matters relating of a loss of property value are noted, however this is not a material planning consideration and these concerns cannot be taken into consideration in the determination for this application.

CONCLUSION

57. Given that the Council is not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added, in such circumstances the NPPF makes it clear that those relevant policies for the supply of housing cannot not be considered up to date. Accordingly planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
58. As set out within the report the benefits of the application boost significantly the supply of housing including affordable housing provision and contribute to achieving economic growth through investment and job creation. Whilst developing this part of the Green Wedge for housing would be contrary to policies CS3 and CS10 of the Core Strategy as well as Saved Local Plan Policy HO3. The Inspector's Report to the Secretary of State for the free school and housing appeal decision considered these impacts (to the role and function of the green wedge, the character and appearance of the area and recreational opportunities) and concluded that there was limited harm and that the benefits associated with that development were sufficient to outweigh the conflicts with the development plan. As set out earlier in this report it is not considered that the harm associated with this development is so significant that it outweighs the benefits of boosting the supply of housing land to address the current shortfall in the 5 year supply, the provision of affordable housing and the associated economic benefits.
59. Notwithstanding the above conclusions, issues remain with the current proposals given that insufficient information has been provided to satisfactorily demonstrate that the proposed development will not adversely impact on highway safety or features of archaeological interest. Whilst the applicant may be working towards addressing these matters, at this moment in time there is insufficient information available to overcome these matters and enable a favourable decision to be made. Consequently the application is recommended for refusal.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550**

WARD AND WARD COUNCILLORS

Ward Ingleby Barwick East

Ward Councillor Councillor Jean Kirby, K C Faulks & Gillian Corr

IMPLICATIONS

Financial Implications

Section 143 of the Localism Act and planning obligations as set out in the report.

Environmental Implications

As report.

Community Safety Implications

Section 17 of the Crime and Disorder Act 1998 has been taken into account in preparing this report and it is not considered the proposed development would not be in conflict with this legislation.

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the proposed development will not contravene these human rights.

Background Papers

Regional Spatial Strategy

Stockton on Tees Core Strategy

Stockton on Tees Local Plan

Stockton on Tees Regeneration and Environment DPD (Preferred options)

National Planning Policy Framework (NPPF)

Planning Applications; S1626/74; S1629/75; S1389/88; 90/1965/P, 94/0385/P, 97/0884/P, 00/1063/P, 00/1064/P, 03/1976/P, 03/1977/P, 06/2593/OUT, 12/2517/OUT & 13/3077/VARY.