

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
16 APRIL 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

14/0208/OUT

**Land Adjacent To Thornaby Road, Ingleby Barwick,
Outline application for residential development of up to 550 homes including provision of
means of access and open space.**

Expiry Date 30 April 2014

SUMMARY

The application site lies to the south-east of Ingleby Barwick on the corner of Thornaby Road and Low Lane. The site is presently used for agricultural purposes (arable farming). 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.

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year supply of deliverable housing sites with a 20% buffer added, therefore the Council's housing supply policies are out of date and the scheme must be considered against those policies of the National Planning Policy Framework (NPPF).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 it is acknowledged that the Council is not able to demonstrate a five year supply of deliverable housing sites, it is considered that the proposed development would introduce housing closer to Thornaby (Teesside Industrial Estate) and would introduce landscaping and housing into what is an undeveloped and unplanted corridor along Thornaby road, thereby eroding the openness and separation function of the Bassleton Beck green wedge.

Therefore, whilst there are some significant benefits to the proposed development, it is considered that such benefits would be outweighed by the harm the proposal would have to the green wedge and the wider character of the area. The proposed development would therefore be contrary to policy CS10 of the Core Strategy and saved Policy HO3 as well as guidance within the NPPF.

RECOMMENDATION

Planning application 14/0208/OUT be Refused for the following reason

Green Wedge/landscape character:

- 01 In the opinion of the Local Planning Authority the proposed development represents an unjustified incursion into the Bassleton Beck valley green wedge and by virtue of its scale and nature would have an unacceptable detrimental impact on the open character and visual amenity of the area and thereby harm the separation that exists between the settlements of Ingleby Barwick and Thornaby, contrary to saved policy H03 of the Adopted Stockton on Tees Local Plan and policies CS3(8) and CS10(3) of the Adopted Core Strategy and paragraph 123 of the National Planning Policy Framework (NPPF).**

BACKGROUND

1. It is understood that the site was originally identified as a potential village within the development of Ingleby Barwick, although through revisions to the Masterplan meant residential development on the site never materialised and its agricultural use continued.
2. Whilst not directly related to this application site, members will be aware of the recent outline application for the erection of Ingleby Manor Free School and a residential development of 350 dwellings (ref; 12/2517/OUT) on land to the west of this site. The matter was heard at a public inquiry with the Secretary of State for DCLG allowing the appeal. With the Secretary of State concluding 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).
3. A further application for a residential development of upto 550 homes a local centre and means of access was recently refused by planning committee (ref; 13/3107/OUT) at a neighbouring site on the basis of insufficient information being provided to satisfactorily demonstrate there would not be any harm to highway safety and features of archaeological interest. With members of the planning committee adding an additional reason for refusal on the negative impacts on environmental assets, biodiversity and quality of the urban environment which would leave insufficient green wedge to maintain the separation of Ingleby Barwick and Thornaby.

SITE AND SURROUNDINGS

4. The application site lies to the south-east of Ingleby Barwick on the corner of Thornaby Road and Low Lane. The site is presently used for agricultural purposes (arable farming) and has a highway verge adjacent to the eastern and southern boundaries.
5. To the north of the application site lies Bassleton Beck and an area of woodland, with the residential properties of Thornington Gardens and Chalfield Close beyond. To the east lies Thornaby Industrial Estate, whilst to the south lies Low Lane and a small group of commercial buildings including car showroom and public house. To the west of the site, lies additional greenfields some of which have recently been the subject of a separate planning application.

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. The application site extends to approximately 32 Hectares (80 acres).

CONSULTATIONS

7. Consultations were carried out and the comments received are set out below

Head of Technical Services

General Summary

This response addresses the points raised in the letter from Fore Consulting dated 18 March 2014. Where necessary, the previous Technical Services comments have been revised and the changes incorporated into this memorandum.

The proposed development is for up to 550 residential properties accessed off Thornaby Road. The impact of the additional trips on the highway network has been assessed using a micro-simulation transport model developed by Technical Services and the results show that the development could be accommodated with some improvements to the highway network.

However a number of key concerns remain. A revised planning application and / or appeal against the refusal of planning permission for 550 houses (13/3107/OUT) on the neighbouring site is anticipated. The Head of Technical Services would encourage a comprehensive Masterplanning approach to this site and the adjoining site. Both applications are currently being considered in isolation and whilst this report focusses on the land accessed off Thornaby Road only, it is recommended that should either site be approved they should be designed to enable the sites to be linked together in the future if required. This site meets this design requirement as the indicative layout that has been provided would allow for the network of routes within this site to be connected to the neighbouring site.

This site on its own would however be an isolated housing site with a lack of alternative transport modes available to access the site other than travelling by car. Bus stops are located on Beckfields Avenue to the north but access to these stops would be through Bassleton Wood (Thornaby Plantation). These stops would also be a considerable distance (over 1km walking distance) from the residential properties located in the south of the proposed development. Bus stops are located on Thornaby Road and Low Lane to the south of the site but the stops are unmarked and not suitable in the current form to support a residential development of this size. Furthermore, bus service 507, a subsidised service that operated from the bus stops on Low Lane is no longer operating (service withdrawn on 29 March 2014). Therefore public transport connections and existing community facilities are largely inaccessible to those without access to a car, including school children. The development is proposing to fund the provision of a bus service which would improve the accessibility of the site to some extent but concerns remain that areas of the site would still be a considerable walking distance from schools and other local facilities.

Based on the review of the Green Wedge it is considered that the openness and separation aspect of this section of the Green Wedge would be adversely changed by this application leading to a coalescence of settlements. The Head of Technical Services therefore objects to this application on predicted adverse Landscape and Visual Impacts.

Highways Comments

Overview

The proposed development is for up to 550 residential dwellings on land accessed off Thornaby Road. A Transport Assessment (TA) has been submitted in support of the application.

A neighbouring site was granted consent in 2012 (12/5217/OUT) for a Secondary School and 350 residential units accessed off Low Lane. A revised planning application and or appeal against the refusal of planning permission for 550 houses (13/3107/OUT) on the neighbouring site is anticipated following the refusal of planning permission for 550 houses.

The Head of Technical Services would encourage a comprehensive Masterplanning approach to this site and the adjacent site. Both applications are currently being considered in isolation and whilst this report focusses on the land accessed off Thornaby Road only, it is recommended that should both sites be approved they should be designed to enable the sites to be linked together in the future if required. This site meets this design requirement as the indicative layout that has been provided would allow for the network of routes within this site to be connected to the neighbouring site.

Development Layout

The application is in outline only with all matters except access reserved. Two accesses into the site are proposed from Thornaby Road but the indicative layout has been designed to permit a connection to the west if the neighbouring appeal site is granted permission.

The northernmost access would create a roundabout junction where Thornaby Road meets William Crossthwaite Avenue. The new access created off the roundabout would be 6.7m in width which would allow the route to accommodate a bus service. All internal roads should have 2m wide footways. The southern access would form a ghost island priority junction with Thornaby Road mid-way between the existing junction with Allison Avenue and Low Lane. Capacity assessments of the access junctions using the Junctions8 software show that both junctions would operate within capacity in the future design year of 2022. The applicant would need to enter into a Section 278 Agreement for the proposed access works onto the adopted highway. The applicant is advised to review the informative section of this memorandum regarding land ownership associated with the Section 278 works.

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 autotracking 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.

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 incurtilage 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.

The applicant would need to enter into a Section 38 Agreement for the highway within the site which would become highway maintainable at the public expense. Early consultation with the

Highway Authority would be recommended prior to any Reserved Matters application to ensure that the development proposals satisfy the design requirements and would be suitable for adoption.

Trip Generation

The vehicular trip rates and forecast vehicle trips associated with 550 dwellings in the peak hours are shown in Table 1.

Table 1: Residential Trip Rates

	AM Peak (08:00 – 09:00)			PM Peak (17:00 – 18:00)		
	Inbound	Outbound	Total	Inbound	Outbound	Total
Trip Rate	0.23	0.59	0.82	0.56	0.34	0.9
Trips	127	325	452	308	187	495

The residential trip rates have been derived from cordon surveys of the six villages within Ingleby Barwick (those without a school). The neighbouring Free School site uses trip rates that are slightly lower (total AM peak hour trip rate of 0.76 trips per unit) as the school is included within the site.

Highway Impact

The highway impact assessment has been carried out using a micro-simulation transport model developed by Technical Services to review the impact of developments in the Yarm and Ingleby Barwick area. This model has been developed in conjunction with the Highways Agency and is considered to be the most appropriate tool to assess the cumulative highway impact of a number of proposed development sites locally

The model incorporates traffic associated with local committed developments and includes any agreed highway improvement measures. It does not however include the additional housing proposed on the neighbouring site as the development has not been granted approval.

The results show that with the addition of development traffic some roads within the study area would be adversely affected during the morning peak. Journey times increase substantially on the following roads:

- Ingleby Way eastbound – journey time increase of +08:17 minutes (base 03:41);
- Barwick Way southbound – journey time increase of +03:42 minutes (base 02:18);
- A1044 Low Lane eastbound - journey time increase of +01:19 minutes (base 01:25).

The queue lengths at junctions on these routes also increase. During the evening peak the impact is less but there is still a deterioration of traffic conditions on some roads within the study area. The greatest impact during the evening peak is on the A174 Parkway where the queue of vehicles waiting to turn left onto Thornaby Road from the Parkway increases by 17 PCU's to 49 PCU's.

The TA outlines that the journey time increase experienced on Ingleby Way during the morning peak is a result of the queue on the Ingleby Way approach to the A1044 Thornaby Road / Ingleby Way / Stockwell Avenue roundabout. Queue lengths on this approach increase from 53 PCU's (passenger car units) to 89 PCU's (+36 PCU's) as traffic on Ingleby Way has to give-way to the additional development traffic travelling northbound during the morning peak on Thornaby Road. This in turn results in traffic being reassigned via Barwick Way and Low Lane.

Given these issues the TA proposes two additional highway mitigation measures:

- The provision of a dedicated and segregated left turn lane on the Ingleby Way approach to the A1044 Thornaby Road / Ingleby Way / Stockwell Avenue roundabout; and
- The provision of an additional left turn lane on the A174 Parkway junction where it meets Thornaby Road.

These proposals have been tested in the transport model and the results show that the network conditions improve with some routes experiencing a reduction in journey time. Journey times still increase during the morning peak on Barwick Way northbound from a base of 02:48 to 04:37 minutes (+01:50). However the results show that with mitigation at the Thornaby Road / Ingleby Way roundabout and the Thornaby Road / A174 junction the additional traffic associated with this development site could be accommodated on the local highway network.

These junction improvements would be in addition to other infrastructure improvements already included within the transport model. The future year scenario within the model includes the comprehensive package of highway improvements on the western side of Ingleby Barwick which are not fully funded. The modelling work has demonstrated that the improvements on the western side of Ingleby Barwick are required to accommodate future traffic growth and the Highway Authority are therefore seeking contributions from developments if they would benefit from the west side improvements. The traffic assignment for this site distributes traffic onto Low Lane and Thornaby Road rather than through Ingleby Barwick and therefore it would be unreasonable to seek a contribution from this development to the improvements on the western side of Ingleby Barwick. This development would however have to fully fund the two junction improvements at the Thornaby Road / Ingleby Way roundabout and the Thornaby Road / A174 junction. These works should be secured by a Section 106 agreement attached to any planning consent. The applicant should however be made aware that initial enquiries into the feasibility of delivering these improvements has identified the presence of utilities on land required to accommodate the additional left turn lane onto Thornaby Road from the A174 Parkway which could be costly to relocate. It is therefore recommended that the applicant undertake additional feasibility work to ensure a mitigation scheme is deliverable. Should planning approval be recommended a Grampian planning condition should be added to the consent to require a mitigation scheme at the Thornaby Road / A174 Parkway junction (and the associated level of funding) be agreed with the Highway Authority prior to development commencing on the site.

The Highways Agency (HA) as a statutory consultee has confirmed that the HA have no objection to the development.

Sustainable Transport and Travel Plan

To encourage walking and cycling the site must be connected into the existing walking and cycling network. A link is proposed from the north-west of the site to link to Beckfields Avenue. This route travels through the woods and therefore may not be suitable at all times of day. The supplementary information from Fore Consulting however states that the proposals would significantly upgrade this route through the provision of a bridge to link either side of the valley and the provision of an appropriate form and level of lighting to ensure it is safe at all times of the day and year. It is recommended that Fore Consulting seek the views of the Police Liaison officer regarding these proposed linkages.

Links are provided to connect the site to Thornaby Road to the east with crossing facilities to be provided as part of the access junction works. A 2m footway is proposed along the western side of the A1044 to provide a link along the Thornaby Road boundary of the site and connections should be incorporated into the site from Low Lane to the south.

Of key concern is the distance from some areas of the site to the nearest bus service. There are bus stops on Beckfields Avenue to the north of the site which serve the Arriva 15 service which provides a link to Stockton town centre every 30 minutes during the daytime. A pedestrian route is proposed to connect the site to these stops on Beckfields Avenue. Properties in the south of the site would however be approximately 1km walking distance from these bus stops. Furthermore, the link to Beckfields Avenue is via a wood which may not be suitable at all times of day / all year round.

The Arriva 17/ X17 service, which has recently replaced the Arriva X6 service, provides a service through Ingleby Barwick and offers a 15 minute frequency during the morning and evening peaks between Eaglescliffe and Middlesbrough. During the daytime the 17 service operates via the X6 route on a 30 minute frequency. The nearest bus stops for the 17 service are located on Ingleby Way approximately 800m walking distance from the north of the site (and therefore approximately 1500m from properties in the south of the site).

To the south there are bus stops on Thornaby Road and Low Lane but these are unmarked and are therefore not currently suitable for a residential development of this size. The Low Lane stops were served by the Leven Valley 507 service which operated every 2 hours between Stockton and Yarm. The 507 service was however a subsidised service and was withdrawn at the end of March 2014.

Given the scale of the proposed development and the distance some parts of the site lie from an existing bus route, significant areas of proposed housing would be outside the desirable walking distance to a bus stop (400m). To set in place sustainable travel patterns on occupation it would be necessary to ensure a frequent and accessible bus service is available at the outset of this development. The Travel Plan proposes to promote public transport usage as part of the Travel Plan welcome packs but if there is not a viable service for residents to use; the Travel Plan measures would have minimal impact.

The additional information provided by Fore Consulting notes that the southern part of this site would be remote from existing facilities and bus services and that in order to mitigate the impact a contribution towards enhanced public transport services would be provided. This would be either through the provision of a dedicated hopper bus service or through an improvement to the existing services currently operating. The provision of a bus service would improve the accessibility of the site. Funding towards this service (and any necessary improvements to bus stop infrastructure) would need to be secured as part of the Section 106 Agreement. The level of funding would need to be agreed with the Highway Authority and bus operators. The funding would be required to sustain a bus service for a minimum 5 year period.

The new access created off the roundabout would be 6.7m in width which would allow the route through the site to accommodate a bus service. The Head of Technical Services would encourage a comprehensive Masterplanning approach to this site and the adjacent site to create a link road which could be used to allow bus penetration between the two sites in the future if required.

If the proposed adjoining site is not developed the potential to provide walking and cycling links between this site and existing facilities is limited. There is a link to Beckfields Avenue to the north but this is through the woods. All other pedestrian trips would have to travel northwards on Thornaby Road to access community facilities, including the nearest schools, within Ingleby Barwick. If Thornaby Road is to become the main pedestrian route it may be necessary to reduce the speed limit on Thornaby Road (which is currently 50mph). The reduction in speed

limit would form part of the Section 278 works to deliver the new access junctions into the site off Thornaby Road. Pedestrian crossing facilities must be incorporated into the new access junctions and again these would form part of the detail design works undertaken as part of the Section 278 agreement.

The agreement of a Travel Plan would form part of any reserved matters application. The Full Travel Plan must include:

- Contact details for the Travel Plan Coordinator;
- Timescales for the Travel Plan Coordinator to be in place;
- Modal split targets and measures to achieve these targets;
- Details of the welcome/marketing pack that is to be given to buyers/occupiers – this should include incentives to encourage occupiers to use sustainable modes of travel e.g. public transport discount vouchers, local cycle shop vouchers, home delivery discount vouchers etc. The minimum value should be £100 per dwelling. The Heads of Terms of the Section 106 agreement should request this £100 per dwelling be made available as a travel plan incentive payment for each dwelling. A total cost of £55,000. The Travel Plan Coordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive; and
- The Travel Plan Coordinator would also be encouraged to contact car club operators to investigate the feasibility of providing a car club at this development.

Summary

In summary, the transport modelling has demonstrated that with mitigation this development could be accommodated on the local highway network. However, despite the proposed bus improvements, public transport and pedestrian connections would remain limited and the site would be outside the recommended walking distances to school and other community facilities. As the site remains relatively inaccessible by modes other than car the Head of Technical Services does not support development in this location. If the application is however recommended for approval the following transport contributions / works would be required:

Section 278 works

- Two access junctions into the site from Thornaby Road – to incorporate pedestrian facilities (dropped kerbs, tactile paving and pedestrian refuge) and review into the existing 50mph speed limit.

Section 106 Contributions

- Contribution towards the provision of a dedicated and segregated left turn lane on the Ingleby Way approach to the A1044 Thornaby Road / Ingleby Way / Stockwell Avenue roundabout;
- Contribution towards the provision of an additional left turn lane on the A174 Parkway junction where it meets Thornaby Road. Further feasibility works required to ascertain estimated costs and confirm the scheme is deliverable;
- Contribution towards the provision of a bus service or extension to an existing service (and associated bus stop infrastructure) to serve the site for a minimum of 5 years;
- Contribution towards improvements to the pedestrian link between the site and Beckfields Avenue; and
- Provision of a £100 Travel Plan incentive per dwelling (£55,000).

Landscape & Visual Comments

Development Proposal

The proposed development is for up to 550 residential dwellings together with public open space, adjoining the eastern edge of the proposed adjacent housing development that forms part of the Little Maltby Farm planning application (planning ref.13/3107/OUT).

Landscape Character

The existing site mostly consists of a large, level arable field with a uniform rough grass verge approximately 30m wide running down the eastern boundary. This grass verge is open in character apart from a few small trees. This uniform agricultural character changes at the southern end of the site where the large field divides into two smaller fields bounded by hedgerows and trees to create a more intimate landscape character.

The southern site boundary is bounded by Low Lane (A1044) with a field hedgerow that follows this road enclosing the south western edge of the site. The eastern edge of the site is bounded by Thornaby Road (B1045). The western edge of the site is formed by a field hedgerow and the north western boundary formed by the dense deciduous woodland that grows along Bassleton Beck. The northern site boundary is formed by the southern edge of the residential property known as Thornbrook.

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

Impact on the Green Wedge

The recent planning appeal which granted permission for houses and the Ingleby Free School to the west of this application site, concluded that whilst the existing Green Wedge 'has little to offer in terms of landscape quality' the extent of the land remaining open following development would be of a sufficient width for Ingleby Barwick and Teesside Industrial Estate to remain as separate entities. The coalescence of settlements is a primary function of the Green Wedge policy.

An onsite review of the green wedge, as part of this application, concludes that the proposed development encroaches into the remaining Green Wedge area. It is not just physical encroachment that would erode the sense of openness but also any inter-visibility of the proposed housing and Teesside Industrial Estate. The review considered that a minimum area of open green wedge required to achieve a separation of settlements could be defined by the existing woodland along Bassleton Beck before opening out to the south. Without a landscape buffer any new housing on this site would be prominent in views and would result in the coalescence of settlements. To prevent this, buffer planting of a varying width of 20-30m with scalloped edges is required. This planting must be outside of the redefined limits of the Green Wedge or that planting itself would lead to a loss of openness and resultant adverse change in its landscape character in this area. The revised edge of the green wedge should therefore be defined in line with the eastern extent of the settlement of Ingleby Barwick, as shown on the plan below, to create a continuity of settlement pattern with the buffer planting (that affords the necessary screening) on the edge of the green wedge following the existing eastern edge of Bassleton Beck Wood, to integrate the planting into the existing landscape character. The revised green wedge is shown on the plan at the end of this section together with the proposed buffer planting.

Two access junctions into the proposed development would cross the Green Wedge. The landscape treatment of these roads must be carefully designed to avoid further adverse impact on the Green Wedge. It is recommended that the buffer planting could be scalloped inwards (towards the housing) at the junctions. If this is combined with informally positioned native tree planting along the roads then their incursion within Green Wedge could be kept to a minimum.

Figure 2H- Viewpoint 2 within the planning application (winter view from Low Lane) clearly demonstrates that the separation between the proposed development and Thornaby Industrial Estate is lost and the openness of the Green Wedge diminished. The open views to the south, as one passes along Thornaby Road towards the open countryside, are also diminished by this narrowing of the Green Wedge.

Based on the review of this section of the Green Wedge it is considered that the openness and separation aspect would be irrevocably changed by this development, changing the landscape character from one of open rural fields to housing. This would also result in a coalescence of settlements.

The Head of Technical Services objects to this application on predicted adverse Landscape and Visual Impacts and recommends that if the principle of development is acceptable then the layout should be redesigned to lie within the proposed new boundary for the Green Wedge (shown below).

Development layout

The proposed housing would have to reflect the proximity to the recommended landscape buffer so as to avoid loss of residential amenity (over-shading) and physical separation between housing and the trees in terms of structural damage.

In the current layout filtered views of the housing would be afforded from Thornaby Road. These views would be afforded between blocks of woodland, groups of tree and arcs of hedgerows which are proposed to soften the edges of the housing. This linear parkland feature is incongruous with the semi-rural character of the countryside southwards of Low Lane and

would result in the loss of openness of this section of Green Wedge. As such a more open and naturalistic landscape treatment is recommended.

Footpath links are proposed to the existing footpath/cycleway in Bassleton Wood and a footbridge access would be required. Bassleton Beck and the footpath linkages to north and south need to be provided.

The agreement of a final layout including the buffer planting and linkages would form part of any reserved matters application.

Open Space Provision

The illustrative Masterplan proposes a range of open spaces including 'village greens' within the housing development. The public open spaces (POS) should also include for a fixed play area. Details for a formal area of play within the development details are provided in the informative section. The POS provision 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. The recommended area of POS should be located within the housing layout (i.e. not forming part of the Green Wedge).

Technical Services would encourage a comprehensive Masterplanning approach to this site and the adjacent site. Both applications are currently being considered in isolation and whilst this report focusses on the land accessed off Thornaby Road only, it is recommended that should both sites be approved they should adopt a strategic approach to outdoor sports and recreational facilities.

The village greens if less than 1ha (roughly square) in area, should be designed to discourage the use of ball games and other activities more suited to the wider areas of POS. Natural Play Zones are planned in the landscaped 'green fingers' of open space that extend into the housing areas and suitable landscape buffers should be used to protect the housing from these play spaces.

Planting Strategy

The agreement of a final layout including and landscape proposals would form part of any reserved matters application. This would also include full long-term management details for the planting.

Where the layout proposes some tree planting on green corridors along the highway, 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.

It is noted that the existence of both underground (Gas and Water) and above ground (Electricity) service utilities running parallel to Thornaby Road will provide a series of constraints that would limit areas of possible tree planting.

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.

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. As part of any reserved matters application artistic enhancement of enclosure and street furniture along with bespoke art features will be encouraged.

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 form part of any reserved matters application.

Existing Site Trees

A full tree survey including an Arboricultural Impact Assessment' should be undertaken of any existing trees on site and hedgerows 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 form part of any reserved matters application.

Maintenance

The open space areas including the buffers zones and any Sustainable Drainages Areas (SUDs) will have to be maintained and managed in perpetuity (25 years). 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. This requirement would form part of any reserved matters application.

Summary

It is considered that the proposed development encroaches into the Green Wedge area. This would harm the character of this part of the Green Wedge by eroding the openness and separation aspects and the housing layout should be redesigned to lie outside the proposed new boundary for the Green Wedge. The buffer planting, necessary to screen and prevent coalescence of settlements, must be provided along the edge of the Green wedge in line with the existing woodland along Bassleton Beck.

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 regarding how the application would comply with Core Strategy Policy 3 (CS3 – Sustainable Living and Climate Change) including for example details on the use of renewable energy supply. Code for Sustainable Homes Level 4 is required but this is not addressed.

It is recommended that if the application was to be approved then the developer discusses how they intend to comply with Environmental policy with the Local Authority prior to making any Reserved Matters application.

Flood Risk Management

The development proposes 550 residential dwellings on 'greenfield land', next to Thornaby Road and close to Bassleton Beck. There is no recorded history of flooding to the site.

A flood risk assessment is provided and the developer proposes the use of sustainable drainage systems within the site. It is recommended that if the application was to be approved then the developer discusses the site drainage in more detail, with the Local Authority prior to making any Reserved Matters application, as designs and calculations will be required, along with proposals for adoption of the sustainable drainage system.

INFORMATIVE;
LAND OWNERSHIP
STREET TREES
OPEN SPACE
EQUIPPED PLAY SPACE

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
- ' Open burning
- ' Construction Noise
- ' Unexpected land contamination

Northern Gas Networks

There are specific building proximity distance for individual Pipelines dependant on predefined risk levels and the type of development. If your proposal includes the construction of buildings it is essential you contact Neil Hampshire, telephone 0113 2768272, to verify the actual distances for the apparatus shown.

Northern Gas Networks' apparatus may be directly affected by these proposals and the information provided has been forwarded to our engineers to make an assessment of the effect and a detailed response will be sent in due course.

Northumbrian Water Limited

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above we have the following comments to make:

The 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

No objections

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Green Infrastructure potential

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 welcomes the proposed site design for this development, incorporating a significant amount of GI and SUDS features. We would encourage maximising the amount of priority Biodiversity Action Plan (BAP) habitat provision wherever possible. Further evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

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 third quarterly update covers the period 1st January 2014 to 31st December 2018 and concludes that the Borough has a supply of deliverable housing land of 4.37 years with a 20% buffer added (with the shortfall being 455 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 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.

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 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.

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 to points i and iv and v of saved Local Plan policy HO3.

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 (the Free School appeal site) 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 Free School appeal site proposal was contrary to Saved Local Plan Policy HO3 and to Core Strategy Policy 1 and Point 3 of Policy 10. 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 represent a significant urbanisation of part of the green wedge that currently separates 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 Free School appeal site proposal was 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.

In this context it is noted that, as you are aware, the Council has received an application for residential development on land adjacent to this application site (13/3107/OUT). The case officer should carefully consider the relationship between the two applications regarding impact on the green wedge. It is noted that the officer report regarding the adjacent site states that residential development in this location is acceptable in principle as the harm to the green wedge would be limited and outweighed by the positive benefits provided by the proposal. However, Planning Committee took a contrary view and added impact on the green wedge as a reason for refusal.

The applicant's supporting Planning Statement refers to the provision of 'a substantial and effective buffer against the adjacent Teesside Industrial Estate'. The indicative site layout illustrates the provision of a buffer along Thornaby Road and also along Low Lane. The case officer will need to carefully consider whether the proposed green corridor is adequate for the purpose of providing a buffer. However the role and function of green wedge extends considerably beyond the narrow scope of providing a buffer to protect residential amenity.

In this context it is relevant that the adjacent site could be viewed as a logical urban extension to the current residential settlement of Ingleby Barwick to the west. In the view of the Spatial Planning team this proposal would not represent a logical extension to Ingleby Barwick when viewed independently of the recently refused adjacent development (13/3107/OUT).

It is anticipated that the applicant for the adjacent site will submit an appeal against the refusal of planning permission. Without prejudice to the determination of the appeal, if it were allowed then the case officer would still need to give careful consideration to the following issues in the context of impact on green wedge.

The case officer should carefully consider whether the proposed green buffer along Thornaby Road is of sufficient width to maintain the separation of Ingleby Barwick and Thornaby. Redrawing the western boundary of the green wedge to the existing building line to the north would allow for a sense of openness and separation to be maintained. This would also ensure continuity with the area of Bassleton Beck green wedge to the north of the proposed development. Provided that this consistency is maintained in a redrawn green wedge then the openness and separation aspect should not be fundamentally eroded. However, the scale of development currently proposed would, in the view of the Spatial Planning team, fundamentally erode the openness and separation function of the Bassleton Beck green wedge.

In order to assess the proposed green buffer along Low Lane it is necessary to take an overview of the role and function of the green wedge along Low Lane. The existing green wedge along Low Lane does not perform a separation role and the land along Low Lane to the south west of the proposed development contains a significant degree of built development but this is of a relatively open character with no over-massing. It is important to retain a significant area of green wedge to the south in order to maintain the relatively open character of this area including the existing 'country road' character of Low Lane and the open views available to drivers approaching driving south down Thornaby Road. This would also provide a relatively attractive setting if development does not come forward. The proposed green buffer is too narrow to fulfil this purpose.

Housing mix and affordable housing

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

The 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA) identifies an annual affordable housing 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 'The precise quantity of affordable housing will be subject to discussion and agreement with the Council as the application is considered and will fall within the range set out by Policy CS8'. The application is therefore consistent with Point 5 of Policy CS8. The contribution that would be made towards the affordable housing requirement for the Ingleby Barwick housing sub-division is a significant material consideration in support of the application.

No reference is made 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.

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 but this did not include the application site.

The Natural England Strategic Map Information Sheet states that where post 1988 data is available, this is the most reliable source of information on land quality because it is based on field survey work. The Strategic Map Information Sheet goes on to state that site specific studies including new Agricultural Land Classification field surveys will be needed to obtain definitive information on ALC grades for individual sites.

The application site is provisionally grade 3 on the pre 1988 maps but this cannot be relied on as these maps are not sufficiently accurate for use in the assessment of individual sites.

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 and 350 houses 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.' This application does not directly integrate with the Free School and 350 houses site. As already stated it would appear to depend on the recently refused adjacent development of up to 550 dwellings in the context of representing a logical extension to Ingleby Barwick. However, for the reasons stated in the environmental protection and enhancement section of these comments, even when viewed in the context of the recently refused adjacent development, the scale and extent of this proposal would result in significant harm to the role and function of the Bassleton Beck green wedge.

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 would reduce the degree of separation and openness provided by the green wedge (Point 3 of Core Strategy Policy 10). The separation and openness provided by green wedge is an important environmental asset. Point 8 of Core Strategy Policy 3 seeks to protect and enhance important environmental assets. The defining feature of the character of the site is its openness. Saved Local Plan Policy H03 (Point iv) requires development to be sympathetic to the character of the locality. The loss of openness would result in a reduction in the visual relief provided by the green wedge. Saved Local Plan Policy H03 (Point v) states development should not result in an unacceptable loss of amenity to adjacent land users. The proposal would result in the development of land specifically allocated for another use (green wedge) which is contrary to Saved Local Plan Policy H03 (Point i). To summarise, the proposal is therefore contrary to the following adopted development plan policies:

- Point 8 of Core Strategy Policy 3
- Point 3 of Core Strategy Policy 10.
- Points i and iv and v of Saved Local Plan Policy H03.

However, it is clear from the Inspector's Report for the Low Lane appeal that, in the context of NPPF paragraph 14, the key issues in relation to these policies is not the fact that there is conflict with these policies but the degree of conflict and the weight to be accorded to the benefits of delivering residential development where a five year supply of deliverable residential land plus 20% buffer is not demonstrable. For the reasons set out in the environmental protection and enhancement section of these comments, the Spatial Planning team have identified that there is a significant degree of harm to the role and function of the green wedge. The case officer will need to carefully consider whether the harm is of a degree that outweighs the benefits of the proposal.

The Environment Agency

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

Condition

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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 users.

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

Biodiversity

The proposed layout includes large areas of open space with Sustainable Drainage System (SuDS) features. These areas have the potential to provide substantial biodiversity enhancement. To maximise this enhancement, we would recommend that the following habitats feature prominently at the detailed design stage:

- o lowland fens;
- o lowland meadows;
- o ponds;
- o reedbeds;
- o wet woodland

This approach is supported by National Planning Policy Framework (NPPF) paragraph 109, which states that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. This approach is supported by recent legislation and Government Guidance as set out in the Natural Environment and Rural Communities Act 2006 and the UK Biodiversity Action Plan.

Sustainable Drainage Systems - Advice to LPA/Applicant

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/Applicant

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.

If you have any questions regarding this letter, please do not hesitate to contact me.

Tees Archaeology

I agreed the scheme of works presented and feel that this is a reasonable assessment of the site despite the negative results. We seem to have a focus of prehistoric settlement on the east side of Bassleton Beck, west of Little Maltby Farm. It seems to peter out as you head north (but with some features still present) and there is no evidence for it on the current development site.

The reports are appropriate and meet the information requirement of the National Planning Policy Framework (particularly para 128). The site does not appear to contain any heritage assets of archaeological interest and I therefore have no objection or further comments to make.

Tees Valley Wildlife Trust

No comments received

The Ramblers Association

We note the proximity of this site to that of a previous application (Land at Little Maltby Farm, 13/3107/OUT). We think that suitable footpaths between these two developments should be incorporated into any future plans as well as connections to Maltby village and possibly the Beckfields area of Ingleby Barwick.

Private Sector Housing - Mr Dave Dawson

The Private Sector Housing Division has comments to make on this application and would recommend our colleagues in Housing Strategy are consulted on such applications.

Head of Housing

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

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

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

We note from the Planning Statement that the developer has made reference to the provision of affordable housing within the site and acknowledged 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. Whilst we acknowledge comments made in paragraph 5.52 of the planning statement regarding the precise quantity of affordable housing to be delivered on the site we have included an indication of likely numbers based on a development of up to 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 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	

A worked example based on 20% or 110 units:-

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

Proportion	No. of units	Tenure
70%	77 units	Rent
30%	33 units	Intermediate Tenure
100%	110 units	Total

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

Size	Proportion	No. of units
------	------------	--------------

2 bed	91%	100 units
3 bed	9%	10 units
Total	100%	110 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
100 Units	2 bed	70 x Rented
30 x	Intermediate	Tenure
9 units	3 bed	6 x Rented
3 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 - David Sanders

As stated in the Design and Access statement, the proposed development must give consideration 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; and, 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.

Councillor Sylvia Walmsley

As Ward Councillor for Stainsby Hill Ward which abuts this site I wish to strongly object to the above development for the following reasons:

* Loss of green wedge/green corridor land which creates a buffer zone between Ingleby Barwick & Thornaby. Along with the resulting effect on wildlife which use this corridor to travel between woodland areas.

* Infrastructure - the development of 550 more houses with their resultant generation of traffic onto already congested roads will impact heavily on Thornaby as well as Ingleby Barwick.

Thornaby is already seen as an inconvenient traffic island for its Cuckoo neighbor and the access/egress of hundreds of cars a day onto Thornaby road will compound the existing problems.

* Schools - the lack of school places of all types for children of Ingleby Barwick is already well documented, even with the provision of a so-called "Free School" hundreds of children will need to be bussed off the estate to either Yarm, Eaglescliffe or Thornaby adding to the congestion mentioned above.

* Lack of facilities - Doctors, Shops, Buses etc - again already well documented will be compounded by further development of this site.

I call upon the Planning Committee to reject this application.

Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application no. 14/0208/OUT.

The Town Council objected to the neighbouring planning application no. 13/3107/OUT, which has been REFUSED by S.B.C. Planning Committee. The reasons for the Town Council's objection are also applicable and relevant to this application which is very similar.

Ingleby Barwick Town Council OBJECTS to this proposed development on the following grounds:

o 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, planning application no. 13/3107/OUT for 550 dwellings which has subsequently been Refused and this application for 550 dwellings on the adjacent site, this would give rise to a possible 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.

o Protection of Wildlife

The area contains wildlife habitats which should be protected.

o 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.

The Town Council refers to the online petition which can be accessed through Stockton Borough Council (S.B.C.) website 'We say no to new house building on our green wedge in Ingleby Barwick' created by Louise Baldock (Labour Party Parliamentary Candidate for Stockton South).

Ingleby Barwick Town Council is in 'Full Support' of the petition.

The Town Council hopes that the Planning Committee will give the above comments due consideration when determining this application.

Thornaby Town Council

Thornaby Town Council object to this planning application on the grounds that it is their contention that proposed development of green wedge land merely for profit and with scant regard for community well being and the natural environment should be opposed to without reservation.

Concerns were also raised that there will also be an increase in traffic flow on Thornaby Road into Thornaby especially at peak times.

Thornaby Town Council are unable to make a comment on the above by the deadline date of Monday 24.2.14. Therefore we request an extension to Wednesday 26.2.14 for us to be able to complete our appraisal of this application.

Hilton Parish Council

Hilton Parish Council has reviewed the Application 14/0208/OUT and have the following comments:

There are already applications for 350 houses in association with the Free School plus an application for more houses as a follow up to this.

This new application means that almost all the land on the green wedge at that corner of Ingleby Barwick will be built upon. The green wedge at the other school was used to build a primary school.

These extra houses and schools are creating even greater difficulties for the local infrastructure. There is already congestion on Low Lane which will be made even worse by the extra roundabout to be put in place to serve the Free School. It is already extremely difficult to join Low Lane if you live in Hilton or Maltby at peak periods but no resources are being used to

improve this situation. This matter has already been raised with our local MP at a public meeting in Hilton.

The number of houses in Ingleby Barwick has grown year on year but very little in the way of new roads have been built so with these extra houses the situation will become even more acute.

There is already a shortage of school places for Ingleby Barwick and all these extra properties will again make the situation worse. The extra housing totally negates the benefit of building the Free School.

The recent flooding issues in the south of England have highlighted the problem of building upon all the green field sites. The extra built up area means there is less room for excess water to soak away and on occasions the junction where Thornaby Road joins Low Lane already floods so the situation is likely to become worse rather than better.

Health and Safety Executive

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

PUBLICITY

8. Neighbouring occupiers were notified by letter and the application was publicised via a site notice and press advert. A total of 21 comments have been received which are set out below (in summary). In addition an online petition has been set up against 'new house building on our green wedge in Ingleby Barwick' and currently has 267 signatures upon it :-

Objection comments;

- Loss of greenfield site/green wedge/open space
- Will lead to shortage of school places particularly at primary level
- Ingleby Barwick does not need more housing
- Should abide by ministers decide in which all conditions were deemed reasonable and necessary.
- Had approval for golf course told the land was reserved for this
- Impact on wildlife
- Issues with drainage
- Other brown field sites are available
- Access out of Hilton will be made much worse
- More housing will negate benefit of new school.
- Children will continue to be bussed off the estate
- Impact on wildlife
- Gas pipeline in the area.
- Increase in hard surfacing poses flood risk
- Ingleby Barwick has been overdeveloped
- Noise nuisance from Thornaby Road/ Industrial Estate.
- Lack of bus stops/services within the area

- The loss of archaeological value which has not yet been examined.
- Ingleby has insufficient recreational space

Objectors

Mr Richard Owen 30 Boar Lane Ingleby Barwick Stockton-on-Tees
 Mrs Sally Hamlin 22 Fir Tree Close Hilton Stockton-on-Tees
 Mr John Tuckett 5 Brimham Close Ingleby Barwick Stockton-on-Tees
 Graham Walker 14 Chalfield Close Ingleby Barwick Stockton-on-Tees
 Mr and Mrs Robinson 8 Chalfield Close Ingleby Barwick Stockton-on-Tees
 Mrs C J Smith & Mr J Smith 7 Chalfield Close Ingleby Barwick Stockton-on-Tees
 Mrs Helen Chilvers 21 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
 Brian Garwood 1 Thorington Gardens Ingleby Barwick Stockton-on-Tees
 William Prosser 4 Thorington Gardens Ingleby Barwick Stockton-on-Tees
 Dorothy and John Seaman 9 Eastbury Close Ingleby Barwick Stockton-on-Tees
 Mrs Lynne Langstaff 29 Thorington Gardens Ingleby Barwick Stockton-on-Tees
 Allan Mitchell 67 Church Field Way Ingleby Barwick TS17 5AW
 Mr David Tuckett 9 Goldcrest Close Ingleby Barwick Stockton-on-Tees
 Mr Chris Burnett 8 Hidcote Gardens Ingleby Barwick Stockton-on-Tees
 Mr Andrew Duffell 8 Cennon Grove Ingleby Barwick Stockton-on-Tees
 Louise Baldock 8 Cribyn Close Ingleby Barwick Stockton-on-Tees
 Miss Jennifer Pemberton 16 Brendon Grove Ingleby Barwick Stockton-on-Tees
 Mrs Alison Tuckett 8 Goldcrest Close Ingleby Barwick Stockton-on-Tees
 Mrs Kendra Fox 43 Henshaw Drive Ingleby Barwick Stockton-on-Tees

PLANNING POLICY

9. 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
10. 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
11. 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 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 EN38

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

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.

National Planning Policy Framework

12. 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.

13. 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

14. 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;

15. 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).

16. 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

17. The five year housing supply assessment for the Borough is currently being updated on a quarterly basis the latest update covers the period 1st January 2014 to 31st December 2018 and concludes that the Borough has a supply of deliverable housing land of 4.37 years with a 20% buffer added (with the shortfall being 455 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.

18. 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.

19. 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

20. 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.
21. 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 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.
22. 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). However, this provision is both limited and in the form as proposed, of the remaining space would be interspersed with planting and other landscaping features. As a result it is considered that this would harm the openness of the site and bring about the coalescence of both Ingleby Barwick and Thornaby. Consequently the impacts of this development on the openness, amenity value, and landscape quality of the site are considered to be quite severe and would have a harmful effect. This is discussed in greater detail below;

Housing mix and affordable housing

23. 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.
24. 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 affordable housing will be provided within the target range. 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.

Sustainable transport and travel

25. 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.

26. 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

27. 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. 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.

Education provision

28. Several of the objectors raise concerns in relation to the impact of the development on 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-a-side an area of land within the site for a new primary school. However, any such agreement would also need to consider and include appropriate mechanisms should both this application site and the neighbouring site both come forward for residential development. Although an agreement has yet to be finally agreed such provision could be secured through a Grampian condition or s.106 agreement 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

29. 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;

30. 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. However, this must be weighed against the harm that would occur to the development plan policies which seek to preserve the green wedge and the character of the area.

Visual Impact/Impact on the green wedge;

31. In terms of the visual impact of the proposed development, the site adjoins a small section of the eastern edge of the development that was granted consent for a Free School and 350 residential dwellings. The topography of the site is generally flat with a larger open field, and two smaller fields to the south. The site has also been 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.

32. It has been noted that the site lies adjacent to an area of land for which planning permission has recently been given, for 350 dwellings and a free school, by the Secretary of State. As part of that decision the Planning Inspector acknowledged that 'the loss of open agricultural fields to development would harm the character and appearance of the area concerned'. The proposed development would therefore result in a loss of the green wedge and harm the open nature of the site and the character and appearance of the area. Consequently it would be contrary to the aims of policy CS10 and saved policy HO3. However, the appeal decision was balanced against the benefits of the proposed development and ultimately it was considered that the existing Green Wedge had little landscape quality and the remaining land would be of a sufficient width to ensure that Ingleby Barwick and Thornaby would remain separate, therefore any harm was outweighed by the benefits of the scheme.
33. In view of the similar benefits this proposed development would bring a similar assessment needs to occur. It is noted that the indicative site layout illustrates the provision of a buffer along Thornaby Road and also along Low Lane. However, it should also be recognised that when viewed independently of the neighbouring application (which was recently refused) the application does not read as an entirely logical urban extension to the current residential settlement of Ingleby Barwick.
34. Furthermore, in view of the Planning Inspectors recent decision a review of the green wedge has taken place, which considered what the minimum area of open green wedge would be to achieve a separation of settlements. It is considered that there are two logical areas which would help to define the limit of any build development and secondly the limit of any associated planting. These are defined by the existing building line of the housing to the north and the existing woodland along Bassleton Beck. It is considered that by following these existing patterns of development, a sufficient width and green wedge would remain, which would allow for a sense of openness and separation to be maintained. This would also ensure that a sufficient landscaping buffer could be incorporated (approx. 20-30m) with scalloped edges as required. It would also allow for an element of continuity with the existing Ingleby Barwick development.
35. The applicants proposed scheme would bring development out beyond these limits and a provide a different approach with respect to the planting of the green wedge, which would incorporate a series of meadows, areas of tree planting and mounding as well as offering informal recreational routes through these areas. There are concerns that such an approach, (whilst it has its own merits), is not appropriate and it does not provide sufficient screening and would introduce landscaping and housing into what is an undeveloped and unplanted corridor along Thornaby road, thereby eroding the openness and separation function of the Bassleton Beck green wedge. It is noted that the two proposed access junctions would cross the green wedge, the landscape treatment of these point would need to be carefully considered to prevent and minimise further adverse impacts on the green wedge, this could incorporate buffer planting that is 'scalloped' inwards at the junctions and include informal native tree planting along the roads.
36. Given the above there are serious concerns that the proposed development would give rise to significant harm to the role and function of the green wedge and the overall character of the area and that the proposed development would therefore be contrary to policy CS10 of the Core Strategy and saved Policy HO3 as well as guidance within the NPPF.

Setting of listed building;

37. The grade II listed Little Maltby Farm lies over 250 metres to the west of the application site and would be separated by the existing agricultural fields (and a potential housing development should it gain planning approval). It is therefore considered that this proposed housing development is unlikely to adversely impact on the setting of Little Maltby Farmhouse and there is considered to be no 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 on this basis.

Amenity;

38. The northern boundary of the application site is in excess of 100 metres from the rear elevations of properties on both Thornington Gardens and Chalfield Close. These dwellings are also further separated from the application site by an area of woodland. Properties further to the west are in excess of 200 metres from the application site boundary, whilst the nearby static caravan is approximately 70 metres from the indicative housing. 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 satisfactory levels of residential amenity could be achieved. 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.

39. Given the commercial nature of the Industrial Estate and the separation of Thornaby Road it is not considered that the proposed development nor the Industrial Estate will have any adverse impacts on these businesses. The Environmental Health Officers have raised no objections subject to the proposed development subject to a number of planning conditions and consequently the commercial activities of the industrial estate are not considered to have any significant impacts on levels of residential amenity of future occupiers to justify a refusal of the proposed development.

40. 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;

41. In order to provide access to the site two new junctions on Thornaby Road are proposed. The most northern access would create a roundabout junction where Thornaby Road meets William Crossthwaite Avenue while the southern access would form a ghost island priority junction with Thornaby Road (mid-way between the existing junction with Allison Avenue and Low Lane). Both junctions are considered to be acceptable and would operate satisfactorily.

42. The Head of Technical Services has commented that the impact of the proposed development on the highway network has been assessed using a micro-simulation transport model in conjunction with the Highways Agency, with the results showing that the development could be accommodated with some improvements to the highway network. The results show that the network conditions improve with some routes experiencing a reduction in journey time. Journey times still increase during the morning peak on Barwick

Way northbound, however the results show that with mitigation at the Thornaby Road / Ingleby Way roundabout and the Thornaby Road / A174 junction the additional traffic associated with this development site could be accommodated on the local highway network. These junction improvements would be in addition to other infrastructure improvements. Such works could be secured through a Grampian planning condition or S.106 agreement. The Highways Agency has confirmed that they have no objection to the development.

43. Notwithstanding the above, the Head of Technical Services has some concerns with respect to sustainable transport linkages and would encourage a comprehensive Masterplanning approach to this site and the adjoining site and that both schemes should be designed to enable the sites to be linked together in the future if required. The indicative plan demonstrates that such provision could be provided.
44. In view of the Head of Technical Services comments and subject to appropriate mitigation measures the proposed development is not considered to pose any significant risks to highway safety. Whilst there may be some shortcomings with respect to recommended walking distances to schools and other community facilities this is not substantially different from other areas of Ingleby Barwick and consequently is not considered not to be significant enough to justify a refusal of the proposed development on these grounds.

Features of Archaeological Interest;

45. Tees Archaeology has considered the information supplied as part of this application and originally considered that the site had archaeological potential, particularly for prehistoric and Romano-British period remains. Consequently further archaeological work was considered necessary to define archaeological features and the impact of the development upon its significance.
46. This archaeological work has been carried out with the findings and accompanying reports being submitted. The findings of this work have demonstrated that there is no evidence for archaeological remains on the current development site. Tees Archaeology are therefore satisfied that the site does not appear to contain any heritage assets or features of archaeological interest and they have no objection or further comments to make. The proposal is therefore considered to accord with saved policy EN30 of the Local Plan and guidance within the NPPF.

Impact on protected species;

47. Within the supporting information a Phase 1 habitat report has been submitted for consideration. It highlights that there is no evidence of protected species using the application site, although the woodland area to the north west of the application site (including Bassleton Beck) may be likely to support some protected species. The submitted report therefore concludes that the proposed residential development is unlikely to have any significant impact on either protected species or habitats, providing a series of mitigation measures are adopted. Such an approach, is also consistent with Natural England's standing advice given the lack of evidence of protected species.
48. Natural England has no objections to the proposed development and has commented that the site has the potential for enhanced green infrastructure provision. Such matters would be formally considered at the reserved matters stage. Subject to a condition to require development to be carried out in accordance with the recommendations of the Phase 1 habitat report, it is not considered that the proposal will have any significant impacts on protected species.

Flood risk;

49. The Environment Agency has been consulted on the application and has no objections subject to a planning condition being imposed for a detailed surface water drainage scheme for the site. Such a scheme would need to be based upon on sustainable drainage principles and could be secured through a planning condition and the proposed development is therefore not considered to pose any significant impacts with regards to flood risk.
50. The Head of Technical Services has commented that there is no recorded history of flooding to the site and notes the intention for a sustainable drainage systems. Although there is no objection it is strongly recommended that should the application be approved that the developers discuss the site drainage prior to making any Reserved Matters application, as designs and calculations will be required in more detail.

Public Safety;

51. As a high pressure gas main lies in close proximity to the site the PADHI+ consultation tool of the Health and Safety Executive has been used to assess the potential risks as a result of the proposed development. The HSE have subsequently advised that they do not advise on safety grounds against the granting of planning permission. Consequently there is considered to be no risk to public safety or any conflict with saved policy EN38 of the adopted Stockton on Tees Local Plan.

Residual matters;

52. Northumbrian Water has also made comments with regards to a need for details regarding drainage, such matters could be conditioned in line with their requirements. Furthermore, reference is also made to 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.

CONCLUSION

53. Whilst it is acknowledged that the Council is not able to demonstrate a five year supply of deliverable housing sites with a 20% and consequently the NPPF makes it clear that relevant policies for the supply of housing cannot not be considered as up to date. As a result it is recognised that 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.
54. Notwithstanding the above, it is considered that the proposed development would introduce housing closer to Thornaby (Teesside Industrial Estate) and would introduce landscaping and housing into what is an undeveloped and unplanted corridor along Thornaby road, thereby eroding the openness and separation function of the Bassleton Beck green wedge. Although there are some significant benefits to the proposed development it is considered that such benefits would be outweighed by the harm the proposal would have to the green wedge and the wider character of the area.
55. Given the above concerns that the proposed development would give rise to significant harm to the role and function of the green wedge and the overall character of the area and

that the proposed development would therefore be contrary to policy CS10 of the Core Strategy and saved Policy HO3 as well as guidance within the NPPF.

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 and 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

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; 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.13/3107/OUT