

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
26 JUNE 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

14/0562/OUT

Land at Little Maltby Farm, Low Lane, High Leven

Outline application for residential development (circa 70 homes) with associated means of access from Low Lane

Expiry Date 9 June 2014

SUMMARY

The application site lies to the south-east of the existing settlement of Ingleby Barwick and is currently a series of open fields bounded by hedgerows and forms part of the application site that was granted outline planning consent for a free school and 350 houses. This application seeks a further outline planning consent is sought an additional residential housing development of up to 70 dwellings.

As members will be aware, the Council is unable to demonstrate a five year supply of deliverable housing sites and in such circumstances the National Planning Policy Framework makes it clear that policies which control the supply of housing cannot not be considered up to date. As set out within the report the benefits of the application boost significantly the supply of housing including affordable housing provision and contribute to achieving economic growth through investment and job creation.

Whilst it is noted that the proposed development would result in additional housing it is noted that the application site would lie adjacent to existing housing (Regency Park) and housing as part of an extant outline planning permission. The proposal would therefore be seen against the context of built development to the south, east and west and would be as part of a larger development and against the backdrop of existing housing with Ingleby Barwick.

In addition site falls within the previous red line boundary and does not require any additional Green Wedge land. The amount of green wedge which would remain to the north and east of the site would therefore remain at a level that was previously considered acceptable by the Secretary of State. It is therefore considered that any associated visual harm is considered to be limited and would be significantly outweighed by the benefits of bring forward further housing to address the current shortfall in the 5 year housing land supply, as set out within the National Planning Policy Framework.

RECOMMENDATION

That planning application 14/0562/OUT be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms identified below;

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<i>110096-B-038 D</i>	<i>3 March 2014</i>
<i>110096-B-039 D</i>	<i>3 March 2014</i>

Reason: To define the consent.

02 Reserved matters:
Details of the appearance, landscaping, layout, and scale of each phase of the development (hereinafter called the reserved matters) shall be submitted to and approved in writing by the local planning authority before development of the phase concerned begins, and the development shall be carried out as approved.

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

03 Time limit for submission of the reserved matters:
Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

04 Time limit for commencement:
The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

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

05 Phasing programme:
No development shall take place until a Phasing Programme for the development hereby permitted has been submitted to and approved in writing by the local planning authority. This shall identify the phasing of infrastructure, landscaping, public open space (in accordance with the Open Space Strategy), accesses, associated community facilities and residential areas within the development permitted herein. Development shall be carried out in accordance with the approved Phasing Programme.

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

06 Open Space Strategy:
No development shall take place until an open space strategy has been submitted to and approved in writing by the Local Planning Authority. This shall identify the extent, location and design of public open space within the development permitted herein or how alternative open space provision can be provided within a wider strategy with the neighbouring development(s). Development shall be carried out in accordance with the approved open space strategy.

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

- Dwelling numbers:**
07 ***The total number of dwellings authorised by this permission shall not exceed 70***
Reason: To ensure a satisfactory form of development.
- 10% Renewable energy requirement**
08 ***No development shall take place until details of how the housing in that particular phase of the development will meet at least 10% of its predicted energy requirements, on site, from renewable energy sources, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.***
Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3
- Code for sustainable homes:**
09 ***The dwellings approved herein shall achieve Code Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.***
Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3
- Construction activity:**
10 ***No construction activity or deliveries shall take place except between the hours of 0800 and 1800 on Monday to Friday and 0900 and 1300 on Saturdays. There shall be no construction activity on Sundays or Bank Holidays.***
Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.
- No open burning:**
11 ***No waste products derived as a result of the development approved herein shall be burned on the site except in an appliance first approved in writing by the local planning authority.***
Reason: In the interests of the amenities of the area.
- Construction Management Plan:**
12 ***No development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority relevant to that element of the development hereby approved. The approved CMS shall be adhered to throughout the construction period relating to that element of the development and shall provide details of the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities to public viewing, where appropriate; wheel washing facilities; measures to control and monitor the omission of dust and dirt during construction; a Site Waste Management Plan; details of the routing of associated HGVs; measures to protect existing footpaths and verges; and a means of communication with local residents.***
Reason: In the interests of the occupiers of adjacent and nearby premises

Watercourse buffer zone

- 13 ***No development shall take place until a scheme for the provision and management of a 10metre wide buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:***

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

Surface Water Drainage Scheme

- 14 ***No development shall take place until a 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 years 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: To prevent the increased risk of flooding, both on and off site.

Ecological Survey:

- 15 ***No development shall take place until a timetable for the implementation of the ecological mitigation measures within the Extended Phase 1 Habitat Survey (The Appleton Group, October 2012) and the Survey of Trees for Bat Roosting and Foraging Potential (Martin Prescott Environmental Services, January 2013) has been submitted to, and approved in writing by, the local planning authority. The ecological mitigation measures shall be implemented in accordance with the approved timetable.***

Reason: To conserve protected species and their habitat

Archaeological Works:

- 16 ***A) No demolition/development shall take place/commence within a particular phase until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing dealing with that particular phase. The scheme shall include an assessment of significance and research questions; and:***

- 1. The programme and methodology of site investigation and recording***
- 2. The programme for post investigation assessment***
- 3. Provision to be made for analysis of the site investigation and recording***
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation***
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation***
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.***

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In the interests of the preservation of any archaeological remains

Unexpected land contamination

- 17 If during the course of development of any particular phase of the development, contamination not previously identified is found to be present, then no further development on that phase shall be carried out until the developer has submitted to, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be carried out as approved.**

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

Noise protection – traffic noise

- 18 No development shall take place on any particular phase until a scheme for the protection of habitable rooms within the dwellings on that phase from the effects of traffic noise has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.**

Reason: To protect the amenity of the occupants of the dwellings from excessive traffic noise.

Drainage

- 19 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. 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.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

The Local Planning Authority has implemented the requirements of the NPPF.

Sustainable Drainage Systems (SUDS)

The applicant is advised that 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; and
- 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

HEADS OF TERMS

- Requirement to provide 15% Affordable housing provision (11 Units)
- Commuted lump sum of £37,856 to primary school education provision
- A contribution of £98,000 towards the highway improvements on the west side of Ingleby Barwick
- Travel Plan which includes provision of incentives to encourage sustainable travel at £100 per dwelling (£7,000);
- 10% Local Labour agreement

BACKGROUND

1. Within the surrounding area, outline planning permission was originally sought in the mid 1970's for a residential development, with the later application being refused (refs; S1626/74 & S1629/75). A further application for residential and ancillary development was also refused and the subsequent appeal dismissed by the secretary of state (ref; S1389/88). The land forming the application site was also envisaged as being part of village 7 of Ingleby Barwick. However, this village was later removed from the master plan and the development of Ingleby Barwick as a whole proceeded as 6 'villages'.
2. The site then gained approval for an 18-hole golf course and driving range, it was originally approved with outline planning consent in 1990 (ref; 90/1965/P) and was followed by an application in 1994 for the provision of a golf driving range, new access, services building and 30 no. driving bays (ref; 94/0385/P) these planning consents were re-established in 1997 and renewed in 2000 and 2003, with the consent expiring in September 2006.
3. A planning application was submitted and refused at Planning Committee for outline planning permission for the erection of Ingleby Manor Free School and a residential development of 350 dwellings (ref; 12/2517/OUT) on a site to the south of this application site. As members will be well aware, the planning merits of this case have recently been considered by the Planning Inspectorate at a Public Inquiry, with his report being passed to the Secretary of State, whom allowed the appeal. In reaching his findings on the appeal, the Inspector reported that whilst he noted the harm to the green wedge policy, character of the area and recreational value of the site, 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).
4. Outline planning permission on the neighbouring site for a residential development of up to 550 dwellings, local centre and means of access was recently considered and refused by planning committee for three reasons (ref; 13/3107/OUT). Two of these were based around a lack of information being submitted to allow for full consideration of the impacts of the development on highway safety and features of archaeological interest, with members adding the third reason based around the impact on the green wedge. An appeal has been lodged with the public Inquiry scheduled to be heard on the 15th July 2014, which has been recovered by the Secretary of State (Mr Eric Pickles) for the final decision.
5. A revised application (ref 14/0569/REV) was then submitted for consideration. Whilst this application addressed matters relating the Archaeology and Highway Safety, the application was refused by the Planning Committee on two grounds. The first being the impact on the green wedge and the second being based around the general lack of sustainability for the site.

SITE AND SURROUNDINGS

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

PROPOSAL

8. Outline planning consent is sought for the creation of a residential housing development of up to 70 dwellings. All matters are to be reserved with only the means of access to be considered at this time. It is proposed that the access will utilise that approved by the Secretary of State under the application for 350 houses and the Free School.
9. The site is approximately 3.5 hectares and would occupy an area of land that was previously indicated to be part of the Free School site. Because of the 350 houses limit on the earlier application a further permission is required. The accompanying information as part of the application sets out that the land is no longer required for the Free School.

CONSULTATIONS

10. The following Consultee responses were received and these are set out below:-

Thornaby Town Council

Thornaby Town Council object to this planning application for the same reason as they are objecting to App No: 14/0569/REV, as it is their contention that proposed development of green wedge land merely for profit and with scant regards for community well being and the natural environment should be opposed to without reservation. This development will create untold traffic problems on Thornaby Road/A174 therefore creating more hazards for residents. The infrastructure cannot cope and until there is an exit onto the A19 south of Ingleby Barwick (Low Lane) all developments should be stopped.

Councillor K Faulks

This Application is totally disrespectful to the residents of Regency Park Ingleby Barwick after it was discussed that in the original plans the school playing fields would face them. To go from 250 houses then 350 (already approved) and then now to add another 70 is just not necessary and is totally disrespectful to the residents of Ingleby Barwick. TRAFFIC will be a major issue on Low Lane 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 with and all will come to a standstill Even now Residents are again leaving earlier to get of the estate. At present all primary schools and secondary schools are full to capacity local facilities such as doctors' and dentists surgeries are full to bursting and do not need this extra pressure. If this gets the go ahead i will be strongly objecting to the developers false promises of six primary schools and two secondary schools as these will already be full to capacity along with the poor road network.

Councillors K Dixon and R Patterson

Strongly object to the planning application 14/0562/OUT and please ensure members of the planning committee are given a copy of this objection.

“I find it unbelievable that this developer negotiates with the DfE and IMFT for this piece of land to be given as land for a Free School. Having been refused by the planning authority they went on appeal leaving the land for the school as it was and 350 houses as submitted, the Secretary of State for Communities Mr Pickles MP approved the application again No variation!

We now have the developer coming forward with this application for 70 -77 houses on a piece of land negotiated for the school NOW renegotiated (by whom we do not know) to get a piece of this land back to build more houses it is absolutely unbelievable!

Site Allocation

This land was not in the council's preferred housing document and was not proposed to be. This site was defiantly not proposed as an enabling development and therefore does not support the development of any wider strategic need. This land was also designated via appeal and a decision by the Secretary of State for Communities Mr Pickles MP as land put aside for a school and as such NO permission was given or inferred for the building of houses.

Green Wedge.

This area was designated as green wedge and should be viewed as an extremely important area acting as one of the last remaining green wedge buffers in the area. This green wedge area was obviously recognised by the Secretary of State for Communities Mr Pickles MP when he allowed the area to remain a green wedge area of the school permission!

Traffic Impact.

It goes without saying that traffic within the road network of Ingleby Barwick is near to saturation point these types of unnecessary schemes just add to the chaos. The proposed 77 homes would mean a further 116 cars at least and given the approved 350 homes at 525 would give thus far an extra 875 vehicles!!

The developer hasn't even given a traffic neutral survey, how do they expect the cars to impact on the already overcrowded system I would be interested to see how they are going to mitigate this.

They cannot expect to quote the Thornaby Road/ A174 spine road improvements as these plans were in place several years ago to elevate the traffic flow on and off Ingleby NOW not in the event of more housing.”

Head of Technical Services

Executive Summary

The Head of Technical Services has no objection to the additional 70 dwellings on this site subject to supplementary highway mitigation being agreed and the open space requirements being met.

If the application is recommended for approval, the following measures should be secured by Planning Condition and Section 106 contributions:

- o A contribution (£98,000) towards the highway improvements on the west side of Ingleby Barwick;
- o Incorporation of the additional 70 dwellings into the Travel Plan for the wider site which requires the provision of incentives to encourage sustainable travel at a value up to £100 per dwelling (£7,000);
- o Inclusion of this development in the Construction Traffic Management Plan for the wider site;
- o An eight metre wide habitat buffer zone along the eastern boundary facing Bassleton Beck;
- o Open space provided in line with the Councils Open Space, Recreation and Landscaping Supplementary Planning Document. The final provision must be in accordance with the planning policy for the total site (420 dwellings);

- o A condition requiring details of renewable energy supply and means of complying with Core Strategy policy regarding 10% renewable energy supply on site; and
- o Details of a scheme for the provision of surface water management which must be agreed with the Local Planning Authority.

Highways Comments

Introduction

The proposed development would provide an additional 70 residential units on a site that was recently granted consent for 350 dwellings and a secondary School (application reference number 12/2517/OUT). The additional 70 dwellings would be constructed on land that has been identified as no longer being required by the school.

Access

Vehicular access to the site would be via the new roundabout junction on Low Lane that is to be delivered to accommodate the Free School development. The roundabout connects to an access road leading to an internal loop road providing access to the development parcels. There is also an emergency access proposed onto Low Lane which is anticipated to be constructed early in the construction phase to provide access. If approved, this development would further increase construction activity on the site. Given that the school is likely to be operating whilst construction of the residential areas is still on-going, the Construction Management Plan needs to clearly address the development phasing and advise how construction traffic could be managed to maintain safe and unobstructed access for school children, school employees and residents.

The provision of pedestrian and cycle links to serve this development has been agreed for the Free School development (12/2517/OUT). This includes the provision of a signal controlled crossing on Low Lane, a toucan crossing on Barwick Way and a connection from the site through to Barwick Way.

The infrastructure to connect the site to the surrounding transport networks has therefore been agreed in principle as part of the Free School development and the detailed design of the site layout will form part of a future Reserved Matters application.

Any Reserved Matters application for the detailed elements of the site would also need to be supported by information on refuse collection and storage along with auto tracking of large vehicles around the site.

Whilst the internal layout is subject to a Reserved Matters application, it should be noted that it must be designed in accordance with Manual for Streets (Department for Transport, 2007) guidance. The applicant would need to enter into a Section 38 Agreement for the highway and footpaths which would become highway maintainable at the public expense.

Highway Impact

A Transport Statement has been submitted for this development. Using the same trip rates as the Free School development the additional 70 units are forecast to generate 68 trips in the morning peak hour (15 inbound and 43 outbound).

The Transport Statement concludes that there will be no material impact from the additional 70 units on the highway network. However this statement has not been quantified. It is suggested that a 20% increase in the housing numbers is likely to have a material impact on the highway network. In the absence of any evidence to assess the level of impact, Technical Services have reviewed available information provided for the neighbouring site.

The Transport Assessment (TA) for the Free School development (12/2517/OUT) assessed the operation of the new roundabout access on Low Lane using the transport modelling software,

ARCADY7. This showed that during a morning peak the Low Lane westbound arm of the new roundabout would experience the highest Ratio of Flow to capacity (RFC) of 0.79 (an RFC value of less than 1 is considered to be operating within capacity). The operation is based on a 2019 base year. Whilst the junction is forecast to operate within capacity no assessment has been undertaken to determine whether an additional 70 units would increase the RFC value on this, and other, arms of the junction to a critical point.

A further source of available evidence is the TA that has been undertaken for planning application number 14/0569/REV which proposes to develop a further 550 houses on land to the north and east of the Free School site. The additional 550 properties would also be accessed from the new roundabout access onto Low Lane. If permission is granted for the additional 550 properties there would be 970 residential dwellings in total accessed from the single roundabout access.

The TA for the additional 550 dwellings tests the operation of the roundabout using ARCADY7. With 900 dwellings the RFC value on Low Lane westbound increases to 0.84 in the AM peak. Similarly, the RFC on the site access arm of the roundabout increases to 0.82 compared with 0.43 for the 350 dwellings. The results indicate that all arms would operate within capacity but the Low Lane west and site access are approaching capacity. The RFC on the site access arm of the junction in particular increases quite substantially with an additional 550 units. The highway authority has previously expressed concerns regarding the number of properties accessed from a single point on the network. Whilst an assessment based on 900 dwellings has demonstrated that the roundabout would operate within capacity, and therefore the 70 dwellings associated with this application could theoretically be accommodated, the provision of just one access is not good highway design. For a new development, especially one on a greenfield site with no existing building constraints, the Council would expect a more efficient and permeable development layout. It is envisaged that in the long-term the single access would be heavily congested during the network peaks and this would not only be a burden on the highway authority but would also be a hindrance to future residents who would have to queue to exit the site.

Consideration should also be given to another nearby planning application, reference number 14/0208/OUT, which proposes 550 dwellings on land off Thornaby Road to the east of this site. This has not been considered in the ARCADY assessment but if approved would add further traffic travelling through this junction.

With regards to the impact on the wider highway network, the assessment for the additional dwellings on the Free School site (900 in total) has also been tested in the Council's AIMSUN model and details submitted for planning application number 14/0569/REV. The results indicate that additional mitigation (over and above the mitigation proposed for the 350 units) would be required at the Ingleby Way/Thornaby Road roundabout. With this mitigation the highway is forecast to operate within capacity. This conclusion is however based on the assumption that all other highway improvement schemes are implemented. This includes the comprehensive package of highway improvements on the western side of Ingleby Barwick including the dualling of Myton Way and Ingleby Way which are not currently fully funded (following the decision by Tesco to no longer extend their store and thereby withdraw their funding for highway works associated with the extension). Previous modelling work has shown that these improvements (referred to as the 'western highway improvements') are required to accommodate development on this site. Consequently, the Section 106 Agreement for the Free School development (12/2517/OUT) includes a contribution towards the implementation of the western highway improvement works. The Free School contribution was calculated based on the impact of the development on journey times through Ingleby Barwick using outputs from the Council's AIMSUN model. The Free School increased journey times on Queen Elizabeth Way by 43% without the improvements; with a funding gap for the west side improvements of

£1.17m the development was therefore requested to contribute £503,000 towards the highway mitigation.

The addition of a further 70 units on the site would increase the impact of this development on the west side of Ingleby Barwick but the extent that this development would benefit from the west side improvements has not been assessed. If the impact of the 70 dwellings was assessed in the highway model the level of contribution towards the western highway improvements would be allocated based on the previous methodology. However, in the absence of any highway modelling to determine the impact that this development would have on the west side of Ingleby Barwick without the highway improvements, a pro-rata contribution based on the housing numbers is considered a reasonable method for calculating the required contribution. The previous contribution amounts to approximately £1400 per dwelling (a contribution of £503,000 for 350 units). On this basis, an additional 70 dwellings would amount to a contribution of £98,000 towards the western highway improvements. This contribution should be secured via a Section 106 Agreement for the development.

The mitigation at the Ingleby Way / Thornaby Road roundabout, which the modelling results for the additional 550 dwellings demonstrates as being necessary, is not expected to be required for the additional 70 units. It would not therefore be reasonable to request that these works be in place prior to development commencing on the additional 70 dwellings. These works would however be required if the application for a further 550 dwellings on the site was approved (application reference number 14/0569/REV).

Sustainable Transport

The Arriva 17/ X17 service, which has recently replaced the Arriva X6 service, provides a service through Ingleby Barwick and offers a frequent service during the morning and evening peaks between Eaglescliffe and Middlesbrough. During the daytime the 17 service operates via the former X6 route on a 30 minute frequency. The nearest bus stops for the 17 service are located on Barwick Way.

The Transport Statement confirms that the Travel Plan for the Free School site would encompass these additional dwellings. This should include the provision of the offer of incentives including for example public transport discount vouchers, local cycle shop vouchers and home delivery discount vouchers up to the value of £100 per dwelling. The Section 106 agreement should request this £100 per dwelling be made available as a Travel Plan incentive payment. The Travel Plan Co-ordinator should devise a list of priorities for the remaining funding should all dwellings not take up this incentive.

Parking Provision

The application is in outline only with all matters except access reserved. Car and cycle parking for each dwelling would need to be in accordance with Supplementary Planning Document 3: Parking Provision for New Developments, 2011. It should be noted that in accordance with the standards four bedroom units require three spaces, not two as suggested by the Transport Statement. Each curtilage parking space should be 6m in length to ensure that parked cars do not overhang the footway. In accordance with the parking standards, a garage would only be counted as a parking space if it meets the minimum internal dimensions of 6m x 3m.

Summary

The development increases the amount of dwellings on the consented site by 20%. No assessment of the transport impact of these additional dwellings has been undertaken and therefore mitigation associated with the consented site has been factored up to take into account the likely impact of these additional dwellings. A contribution of £98,000 is requested to mitigate the highway impact of this development.

Access for the additional dwellings would be gained via the new roundabout on Low Lane which is to be delivered as part of the neighbouring Free School site. Following a review of all evidence available it is considered that an additional 70 dwellings could be accommodated off this access. The Head of Technical Services does however reiterate the concern that the provision of just one access for a large residential development is not recommended and the applicant is requested to consider improving the layout proposals if the size of the site increases further.

The Head of Technical Services has no objection to this development subject to the additional highway mitigation being agreed. An update to the Travel Plan (including the provision of £100 per dwelling for Travel Plan incentive measures) and inclusion of this site in the Construction Traffic Management Plan must be secured by planning condition.

Landscape & Visual Comments

The development proposes the provision of 70 no. houses on land formerly allocated for 3 no. football pitches in planning application 12/2517/OUT associated with the new Ingleby Manor Free School. The need for these pitches in relation to the new schools requirements must be considered in any planning approval including any community usage that was envisaged.

If the scheme was to be approved, the eastern boundary faces Bassleton Beck and the application for the Free School proposed an eight metre wide habitat buffer zone along this boundary. This should also be provided for this application to enhance the green infrastructure value of the beck.

Open space should be provided within the development in line with the Councils Open Space, Recreation and Landscaping SPD 2 or form part of the Free School development planning application (12/2517/OUT) where the open space should be amended accordingly to take account of the revised house numbers. It is however noted that there were concerns regarding the amount of open space provided on the consented site. The final provision must be in accordance with the planning policy for the total site (420 dwellings).

Environmental Policy

There are no objections to the proposals subject to the provision of renewable energy supply details and carbon footprint data for the additional dwellings. In order that the developer considers and agrees sustainable measures, the following should be conditioned if planning consent is given:

- o Provision of a statement regarding means of complying with Core Strategy policy of 10% renewable energy supply on site;
- o Details of the carbon footprint; and
- o Details of the predicted energy consumption for the development and clear proposals of the means to be employed to provide renewable energy supply.

No development permitted by this planning permission shall be commenced until details of a scheme for the provision of sustainable measures has been submitted to and approved in writing by the Local Planning Authority.

Flood Risk Management

A flood risk assessment (FRA) was carried out for the neighbouring Free School site which concluded that:

- o The development site is wholly within Flood Zone 1, low probability, and the development type is deemed appropriate;
- o The development is not at risk of flooding from Rivers, the sea, existing sewers, existing infrastructure failure or groundwater;
- o The FRA outlines that the Stockton Strategic Flood Risk Assessment (SFRA) has identified that there may be some risk of overland surface water flow during extreme rainfall events and

mitigation measures relating to overland flow should be incorporated into the detailed design of the site;

- o The greenfield run-off rate for the site is 42 l/s, and that surface water flows off site should be restricted to this rate; and
- o The development is acceptable in terms of drainage impact and flood risk.

If planning consent is given and in order that the developer considers and agrees SUDS measures with SBC as part of their reserved matters design, the following should be used as a basis for a planning condition relating to the provision, management and maintenance of a sustainable drainage system:

No development permitted by this planning permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- o Details of the drainage during the construction phase;
- o Details of the final drainage scheme, including sustainable drainage measures proposed;
- o Provision for exceedance pathways and overland flow routes;
- o A timetable of construction;
- o A construction quality control procedure; and
- o A plan for the future maintenance and management of the system and overland flow routes.

Environmental Health Unit

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

' Noise disturbance from adjacent road traffic

Before the use commences, any living rooms or bedrooms with windows affected by traffic noise levels of 68 dB(A) L10 (18 hour) or more (or predicted to be affected by such levels in the next 15 years) shall be insulated in accordance with a scheme approved by the Local Planning Authority for the protection of this proposed accommodation from road traffic noise.

Open burning

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

Construction Noise

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

Unexpected land contamination

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

Northern Gas Networks

No objections

Northumbrian Water Limited

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

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

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

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

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

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

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

- o Soakaway
- o Watercourse, and finally
- o Sewer

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

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 objection

Natural England

No comments received

Spatial Plans Manager (in summary)

The starting point for consideration of the application is the adopted development plan. The application is contrary to the adopted development plan. However, the Council accepts that it is not able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added. Paragraph 47 of the NPPF stresses the importance the Government attaches to boosting significantly the supply of housing and paragraph 49 of the NPPF sets out that where a five year supply cannot be demonstrated, relevant policies for the supply of housing should not be considered up to date.

The 2nd bullet point of paragraph 14 of the NPPF makes clear that where the development plan is absent, silent or out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

The benefits of the application within a housing context are that it would boost significantly the supply of housing; if implementation begins within a five year timeframe it would make a contribution towards the five year supply of housing; the provision of affordable housing would contribute to reducing the annual net shortfall of affordable housing identified in the TVSHMA; and it would contribute towards achieving economic growth. Meeting housing need and demand and driving economic growth are clearly both key national priorities.

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

Point 8 of Core Strategy Policy 3

Point 3 of Core Strategy Policy 10

Points i, iii, iv and v of Saved Local Plan Policy HO3.

However, it is clear from the Inspector's Report for the Low Lane appeal site (the Free School and Sixth Form and Residential Development) that in the context of NPPF paragraph 14, the key issue in relation to these policies is not the fact that there is conflict with these policies but the degree of conflict. Moreover, The Secretary of State for Communities and Local Government has accepted the principle of development on this site. In this context the view of the Spatial Planning team is that only very limited weight can be attached to the current green wedge designation, specifically in relation to this site. Consideration also needs to be given as to the potential for the proposal to conflict with Point 6 of Core Strategy Policy 10.

Notwithstanding the view of the Spatial Planning team that only very limited weight can be attached to the green wedge designation (specifically in the context of the site already approved for the Free School and Sixth Form and Residential Development of which the application site forms part), the case officer will still need to carefully assess whether the proposal would result in any harm that would outweigh 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 CONDITIONS are imposed on any grant of planning permission:

Condition: Buffer Zone

No development shall take place until a scheme for the provision and management of a 10metre wide buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

Reasons

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

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

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

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

Informative - Advice to LPA/Applicant

'Bank top is defined as the point at which the bank meets normal land levels / the edge of the wetland as designated on a site plan.'

Condition: Surface Water Drainage Scheme

No development shall take place until a 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 years 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

To prevent the increased risk of flooding, both on and off site.

Informative: Advice to LPA/Applicant

We are unable to agree the surface water discharge rate at this stage as this information has not yet been provided. The surface water discharge rate has been calculated using the whole site area. The discharge rate should be calculated using the proposed impermeable area of development.

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

Discharge of Foul Sewage - Advice to LPA/Applicant

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

Sustainable Drainage Systems (SUDS) - Advice to LPA/Applicant

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; and
- 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

Ingleby Barwick Town Council

Ingleby Barwick Town Council has considered all of the information and plans provided in respect of planning application No. 14/0562/OUT. Ingleby Barwick Town Council OBJECTS to this proposed development on the following grounds:

Development within the Designated Green Wedge

The proposed development would be an intrusion into the designated green wedge. The Bassleton Beck Valley is an important open space which provides and maintains the separation between the communities of Ingleby Barwick and Thornaby. The green wedge not only improves the appearance of the area but also allows each community to maintain its own identity.

Given the approval of planning application no. 12/2517/OUT granted on Appeal for the erection of Ingleby Manor Free School and Sixth Form as well as 350 dwellings, the current application for 70 dwellings, as well as planning applications 14/0569/REV (550 dwellings) and 14/0208/OUT (550 dwellings), this will give rise to an overall total of 1,520 dwellings in this area.

The scale and nature of this current proposal for 70 dwellings, as well as the approved and proposed additional dwellings, would have a severe detrimental impact on the open character of the area.

Protection of Wildlife

The area contains wildlife habitats which should be protected.

Lack of Infrastructure

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

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

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

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

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

General Comments

It is noted that the 'Principles of Development - The Overall Strategy' in the Master Plan for Ingleby Barwick dated May 1977 proposed seven villages, each with a primary school and local facilities etc. Little Maltby Farm was identified in the original Master Plan for development, however this was removed when the Master Plan was revised in 1991.

Given the current proposals and the proposed development, this area would now constitute 'Village 7'.

If the proposal is allowed to go ahead it should be ensured that the 'principles of development' contained in the original framework are adhered to in order that the concerns highlighted above, are taken into account. The Town Council hopes that the Planning Committee will give the above comments due consideration when determining this application.

Tees Archaeology

The developer has submitted an archaeological desk based assessment and geophysical survey report. The site was also subject to trial trenching in the 1990s and the results of this

are presented in the desk based assessment. In summary the development area contains part of a Bronze Age settlement and burial site.

The geophysical report along with the results of the previous trial trenching provide a sufficient evidence base to make an informed planning decision with regards to the impact of the development on the significance of Heritage Assets (NPPF para 128).

In this case I recommend that the archaeological remains are of local to regional importance and would not preclude development providing that appropriate mitigation took place. This mitigation could either take the form of the physical preservation of the heritage assets or their archaeological excavation prior to development (or a combination of both approaches).

The mitigation could be secured by means of a planning condition, the suggested wording for which I set out below:-

Recording of a heritage asset through a programme of archaeological works

A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Private Sector Housing - Mr Dave Dawson

The Private Sector Housing Division has no comments to make on this application

Head of Housing

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

Core strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision states:

Affordable housing provision within a target range of 15 – 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more.

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

We note from the Design and Access Statement that the developer has made no reference to the provision of affordable housing within the site. In line with the need identified in the SHMA 2012 and Policy CS8 as outlined above there is a requirement for between 15% and 20% of the total housing numbers to be provided as affordable housing.

Based on a development of up to 70 units 15% affordable housing would equate to 11 units and 20% would equate to 14 units. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

The mix of affordable housing currently required to be provided is 30% intermediate and 70% rented tenures, and based on the SHMA 2012 a high priority will be accorded to the delivery of smaller houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

A worked example based on a requirement for 15% or 11 affordable units: -

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

Proportion	No. of units	Tenure
70%	8 units	Rent
30%	3 units	Intermediate Tenure
100%	11 units	Total

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

Size	Proportion	No. of units
2 bed	91%	10 units
3 bed	9%	1 unit
Total	100%	11 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
10 Units	2 bed	7 x Rented
3 X	Intermediate Tenure	
1 units	3 bed	1 x Rented
0 x	Intermediate Tenure	

A worked example based on a requirement for 20% or 14 affordable units: -

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

Proportion	No. of units	Tenure
70%	10 units	Rent
30%	4 units	Intermediate Tenure
100%	14 units	Total

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

Size	Proportion	No. of units
2 bed	91%	13 units
3 bed	9%	1 unit
Total	100%	14 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
13 Units	2 bed	9 x Rented
4 X	Intermediate	Tenure
1 units	3 bed	1 x Rented
0 x	Intermediate	Tenure

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

Hilton Parish Council

Hilton Parish Council has reviewed the planning applications 14/0562/OUT and 14/0569/REV both of which refer to Little Maltby Farm.

The Parish Council has already registered its objections to the scale of building on this green space associated with Ingleby Barwick. 350 houses are to be built with the Free School plus an application for a further 550 houses and now there are two applications for 70 and 550 houses.

This is a total of 1520 houses. This means there will be no green space along Low Lane and then along Thornaby Road until the Football Pitch is reached. The local infrastructure is already struggling with the volumes of traffic at peak times and this number of houses will make the problems considerably worse. No new roads have been constructed and consequently one accident can bring the area to gridlock causing frustration not only for those who do not live in Ingleby Barwick but also for the residents of Ingleby Barwick. The traffic from local villages such as Hilton and Maltby already has great difficulty in joining Low Lane because of the pressure at the junctions and this will be made worse by the extra traffic associated with these houses.

There is already considerable pressure on school places (both at primary and secondary level) within Ingleby Barwick resulting in many children having to be bused off the town in order to attend schools - further developments will make the situation even worse.

This last winter has demonstrated the problems that can occur when green space is covered in concrete resulting in flooding - green space is becoming an increasingly rare commodity in this area.

In 2013 SBC issued plans to meet government requirements for new home building and since then a very large number of new developments have been given the go ahead. The number of homes planned in the area of Yarm and Ingleby Barwick are already in excess of the numbers quoted for the whole of the SBC area. The overturning of the refusal of the planning application for the Free School by the Planning Inspectorate should not set a precedent for unlimited building.

PUBLICITY

11. Neighbours were notified and publicity was given to the proposal through a site notice and press advert. A total of 73 objections have been received, these are detailed below.

Objectors;

Mrs Judith Evans 12 Owletts Court Ingleby Barwick Stockton-on-Tees
Ms Louise Baldock 8 Cribyn Close Ingleby Barwick Stockton-on-Tees
Mrs Paula Watson 8 Hawkridge Close Ingleby Barwick Stockton-on-Tees
Gary Corr 16 Trenholme Close Ingleby Barwick Stockton-on-Tees
Mr Ian Pluves 18 Challacombe Crescent Ingleby Barwick Stockton-on-Tees
Mr William March 5 Beaver Close Ingleby Barwick Stockton-on-Tees
Mr Neil McCabe 14 Neath Court Ingleby Barwick Stockton-on-Tees
Mr Paul Davey 20 St Davids Grove Ingleby Barwick Stockton-on-Tees
Mrs Eleanor Leeds 27 Houghton Banks Ingleby Barwick Stockton-on-Tees
Mrs Claire Gee 2 Crummackdale Ingleby Barwick Stockton-on-Tees
Mr Chris Burnett 8 Hidcote Gardens Ingleby Barwick Stockton-on-Tees
Mrs Frances Roundtree St Francis House Barwick Way Ingleby Barwick Stockton-on-Tees
Mrs Rachel Burgum 8 Brecon Crescent Ingleby Barwick Stockton-on-Tees
Mr Gary Vance 15 Rowen Close Ingleby Barwick Stockton-on-Tees
Mrs Linda Dixon 41 Henshaw Drive Ingleby Barwick Stockton-on-Tees
Mrs Patricia Faulks 32 Wheatear Lane Ingleby Barwick Stockton-on-Tees
Mrs Rebecca Cowl 2 Berrington Gardens Ingleby Barwick Stockton-on-Tees
Mrs Katia Lightfoot 18 Regency Park Ingleby Barwick Stockton-on-Tees
Mr Richard Clements 20 Regency Park Ingleby Barwick Stockton-on-Tees
Mr W G Dunwell 28 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Christine Rhodes 27 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr Charles Clarke Glen Coe Low Lane High Leven Yarm
Mr G Walker 14 Chalfield Close Ingleby Barwick Stockton-on-Tees
Mrs Nicola Cowell 99 Marchlyn Crescent Ingleby Barwick Stockton-on-Tees
Mrs Christine Mundy 28 Crosswell Park Ingleby Barwick Stockton-on-Tees
Mrs Kendra fox 43 Henshaw Drive Ingleby Barwick Stockton-on-Tees
Andrew Graham 2 Hareshaw Close Ingleby Barwick Stockton-on-Tees
Mrs Maureen Logan 18 Brendon Grove Ingleby Barwick Stockton-on-Tees
Allan Mitchell 67 Church Field Way Ingleby Barwick
Miss Jennifer Pemberton 16 Brendon Grove Ingleby Barwick Stockton-on-Tees
Mrs Joanne Bytheway 28 Brendon Grove Ingleby Barwick Stockton-on-Tees
Mrs Sandra Wickham 19 Hillbrook Crescent Ingleby Barwick Stockton-on-Tees
Mr LESLIE SMITH 26 Regency Park Ingleby Barwick Stockton-on-Tees
Mr Glyn Pemberton 27 Regency Park Ingleby Barwick Stockton-on-Tees
Mr Justin Williams 40 Regency Park 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
Miss P Molloy 9 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Mrs P Flegg 7 Thorington Gardens Ingleby Barwick Stockton-on-Tees
William Prosser 4 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Brian Garwood 1 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Mrs Jane Goult 19 Thorington Gardens Ingleby Barwick Stockton-on-Tees
Mr and Mrs Robinson 8 Chalfield Close Ingleby Barwick Stockton-on-Tees
CJ Smith 7 Chalfield Close Ingleby Barwick Stockton-on-Tees
K S Vance 1 Rainham Close Ingleby Barwick Stockton-on-Tees
Mr F and Mrs L Keighley 12 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr Glenn Morgan 3 Chartwell Close Ingleby Barwick Stockton-on-Tees
Mrs J E Simpson 4 Eastbury Close Ingleby Barwick Stockton-on-Tees
Crowther 5 Aylsham Close Ingleby Barwick Stockton-on-Tees
Mr Richard Hand 6 Brantwood Close Ingleby Barwick Stockton-on-Tees
Mr Ian Woollett 51 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr David Bell 37 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mrs Helen Hill 34 Priorwood Gardens Ingleby Barwick Stockton-on-Tees
Mr Peter Sutherland 30 Priorwood Gardens Ingleby Barwick Stockton-on-Tees

Mr Paul Kendrick 8 Greenway Ingleby Barwick Stockton-on-Tees
 Mr David Powell 12 Acorn Bank Ingleby Barwick Stockton-on-Tees
 Mr and Mrs Singh 6 Regency Park Ingleby Barwick Stockton-on-Tees
 Mr Peter Hadfield 4 Regency Park Ingleby Barwick Stockton-on-Tees
 Mrs Maria Rudd 1 Bernica Grove Ingleby Barwick Stockton-on-Tees
 Mr David Cooper 20 Stainforth Gardens Ingleby Barwick Stockton-on-Tees
 Miss Heather Watson 14 Marsden Close Ingleby Barwick Stockton-on-Tees
 Helen Gregory 5 Ramsey Gardens Ingleby Barwick Stockton-on-Tees
 Mr Andrew Duffell 8 Cennon Grove Ingleby Barwick Stockton-on-Tees
 Mrs Samantha Allcock 19 Pembroke Drive Ingleby Barwick Stockton-on-Tees
 Miss Sally Hutchinson 10 Redesdale Grove Ingleby Barwick Stockton-on-Tees
 Mr Leon Leeds 27 Houghton Banks Ingleby Barwick Stockton-on-Tees
 Mr Andrew McCulloch 81 Apsley Way Ingleby Barwick Stockton-on-Tees
 Mr E Strike 7 Claydon Grove Ingleby Barwick Stockton on Tees
 Mr Cecil Logan 18 Brendon Grove Ingleby Barwick Stockton-on-Tees
 Mr Mark Butler 25 Bunting Close Ingleby Barwick Stockton-on-Tees
 Mrs Elaine Preval 26 Stoneacre Avenue Ingleby Barwick Stockton-on-Tees
 Mr Neil Cawthorne 39 Mastiles Close Ingleby Barwick Stockton-on-Tees
 Mrs Lynne Littler 8 Brimham Close Ingleby Barwick Stockton-on-Tees

Objections;

- Land is designated as green wedge
- There is enough housing on Ingleby already/Over-development
- Insufficient infrastructure and amenities - doctors, schools (primary, Junior and Secondary)
- Increase in traffic/worsen existing traffic problems
- Land is supposed to be playing fields for the new free school.
- Betrayal of local people's expectations and understanding and this proposed housing not playing fields
- Free school development was aimed at solving an issue, this diminishes the advantages that might have been achieved
- Impact on wildlife
- Previous applications have already been rejected
- What was the purpose of the Public Consultation with respect to the Free School where the developer modified his original proposed moving the playing fields behind Regency Park
- Increased risk of flooding
- Devaluation of property
- Emergency Services would struggle to get into the area - possibly putting lives at risk.
- Other brownfield sites are available within Stockton
- Dog walkers will have even less areas to exercise dogs away from the streets.
- Increased pollution
- Loss of views as Cleveland hills are obstructed.
- Build something which is needed like a youth café
- Development is 'urban sprawl'

PLANNING POLICY

12. 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.

13. 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
14. The following planning policies are considered to be relevant to the consideration of this application:-

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

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

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

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
2. All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.
5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.
8. Additionally, in designing new development, proposals will:
 - _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
 - _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
 - _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;

_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

Core Strategy Policy 6 (CS6) - Community Facilities

1. Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.

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

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

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

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

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

Core Strategy Policy 10 (CS10) - Environmental Protection and Enhancement

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

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

ii) Green wedges within the conurbation, including:

_ River Tees Valley from Surtees Bridge, Stockton to Yarm;

_ Leven Valley between Yarm and Ingleby Barwick;

_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;

_ Stainsby Beck Valley, Thornaby;

_ Billingham Beck Valley;

_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

Saved Policy EN28 of the adopted Stockton on Tees Local plan

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

Saved policy EN30 of the adopted Stockton on Tees Local plan

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

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

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

Saved Policy HO3 of the adopted Stockton on Tees Local plan

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

15. 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;

16. 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.

17. The following sections of the NPPF are considered to be relevant to the determination of the 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

18. The main planning considerations of this application are compliance with planning policy and the impacts of the development on the character of the area, amenity of neighbouring

occupiers, highway safety, archaeological features, setting of listed building, protected species and flood risk.

Principle of development;

19. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and the need to achieve sustainable development. It defines sustainable development as having three dimensions - economic, social and environmental. It also goes on to set out a number of core planning principles one of which is the need to identify and meet housing needs as well as to respond positively to wider opportunities for economic growth. In terms of housing, paragraph 47 details the importance in boosting significantly the supply of housing, with paragraph 49 stating that when a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. In addition it sets out that the greater the degree of consistency Local Plan policies have with the NPPF the greater the weight that may be given. It is noted that the proposal seeks to provide 70no dwellings which given the Borough's lack of a five year housing land supply (currently at 4.08 years, with a 20% buffer) means that the development must be considered in line with the NPPF and the presumption in favour of sustainable development. In such cases, paragraph 14 of the NPPF sets out that the application should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits.
20. Whilst it is acknowledged that there are 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.
21. It is acknowledged that the site lies within the Green Wedge and that Core Strategy Policy CS10 seeks to ensure that the separation between settlements is maintained and that the quality of the urban environment is protected. Equally Saved Policy HO3 also seeks to protect sites which have a recreational value and preserve the character of the locality.
22. However, in making an assessment of the impact 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 and east of the application site. It is clear from the Inspector's Report that in the context of NPPF paragraph 14, the key issue in relation to these policies is not the fact that there is conflict with these policies but the degree of conflict. As the Secretary of State allowed the appeal and accepted the principle of development on this site, it needs to be recognised that built development has already been permitted to take place on the site. As this will already effect the separation between Ingleby Barwick and Thornaby (Teesside Industrial Estate), the impacts of this development on the openness, amenity value, and landscape quality of the site are considered to be limited and it is considered that little weight can be given to the conflict with policies CS10 and HO3.
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. 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.
24. The applicant has confirmed that they are willing to provide 15% affordable housing provision (11 units), such provision is welcomed and in view of the existing shortfall across the borough and Ingleby Barwick is a material consideration which also weighs in favour of the application.

25. In order to militate against the 18 primary school places that this development would generate, there is a need to ensure that additional school places could be provided. Education Officers are satisfied that some limited extensions to existing schools could be provided and consequently a contribution is required in accordance with the Council's adopted planning obligations SPD. Such an approach reflects that taken as part of the wider 350 homes and free school development and a commuted lump sum of approximately £38,000 would therefore be required. However, should the wider development for 550 dwellings be approved under the current appeal, the above sum may be rescinded in order to bring about new school provision.

Visual Impact;

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

27. As touched upon above, it is clear from the Inspector's Report that in the context of NPPF paragraph 14, the key issue in relation to these policies is not the fact that there is conflict with these policies but the degree of conflict. In assessing the impact of this proposal it is noted that the application site would lie adjacent to existing housing (Regency Park) and housing as part of an extant outline planning permission. Consequently the proposal would be seen against the context of built development to the south, east and west. As a result the resulting visual harm is extremely limited and from more open views to the east and south would be seen as part of a larger development and against the backdrop of existing housing with Ingleby Barwick.

28. Furthermore, the application site falls within the previous red line boundary and does not require an additional land. The amount of green wedge which would remain to the north and east of the site would therefore remain at a level that was previously considered acceptable. In view of these considerations and particularly given the Secretary of States conclusions for the already consented development for the 350 houses and the free school, any associated visual harm is considered to be limited and would be outweighed by the benefits of bring forward further housing to address the current shortfall in the 5 year housing land supply.

29. The Council's Landscape Officer has suggested that conditions be imposed with regards to a habitat buffer zone along the boundary with Bassleton Beck and that open space provision should be in accordance with the Councils Open Space, Recreation and Landscaping SPD or that open space provision be provided as part of the wider Free School and housing development, but taking account of the revised housing numbers (420 dwellings). Both these aspects are controlled via planning conditions.

Amenity;

30. The indicative masterplan details that the western boundary of the proposed housing parcel would be approximately 30m from the rear elevations of those properties which from Regency park. Such a distance is in excess of the Council's minimum 21 metre separation guidance and the final details regarding the site layout and external relationships would be a matter for consideration as part of any future reserved matters application. At this stage the indicative drawings provide enough assurances that the separation distances from the existing properties to the areas of the proposed dwellings, along with the potential for future landscaping of the site are considered sufficient enough to ensure that the proposed development would not have any significant impacts on the amenity of the neighbouring residents in terms of loss of daylight, appearing overbearing or a loss of privacy that would justify a refusal of the application on planning grounds.

31. Similarly, in terms of the internal relationships the final site layout of both the application site and wider housing/free school area would be subject to future reserved matters applications. The relationships between the various uses would therefore be fully assessed at this time. Again the submitted indicative drawings provide enough detail to be satisfied that the additional 70 dwellings could be accommodated on the site and ensure that acceptable levels of amenity are provided for future residents of the proposed development at this stage of the determination process.
32. Any short-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.

Highway safety;

33. The Head of Technical Services has considered the proposed development and notes that vehicular access into the site would be via the new roundabout junction on Low Lane that is to be delivered to accommodate the already consented 350 dwellings and Free School development. The provision of pedestrian and cycle links would also remain as agreed and would include the provision of a signal controlled crossing on Low Lane, a toucan crossing on Barwick Way and a connection from the site through to Barwick Way. The infrastructure to connect the site to the surrounding transport networks has therefore been agreed in principle and is capable of accommodating the additional housing within it.
34. In terms of impact on the wider highway network, the Council's AIMSUN model has been used to assess the impact. The results indicate that additional mitigation (over and above the mitigation proposed for the 350 units) would be required and with the mitigation the highway is forecast to operate within capacity, assuming that can mitigation works are completed. This would include a comprehensive package of highway improvements on the western side of Ingleby Barwick including the dualling of Myton Way and Ingleby Way which are not currently fully funded. The addition of a further 70 units on the site would increase the impact of this development on the west side of Ingleby Barwick and a contribution of £98,000 is sought towards the funding the western highway improvements to mitigate the highway impact of this development.. This contribution can be secured via a Section 106 Agreement.
35. In addition it is also required that a travel plan for the additional 70 dwellings be prepared and that incentives including for example public transport discount vouchers, local cycle shop vouchers and home delivery discount vouchers up to the value of £100 per dwelling are provided, again this can be secured through the Section106 agreement. In addition it is also requested that a planning condition be imposed with regards to a Construction Management Plan.
36. In view of the above, and subject to the imposition of appropriate planning conditions and securing highway mitigation measures with a Section 106 Agreement, the Head of Technical Services has no objections to the proposal on grounds of Highway Safety

Archaeological features;

37. Tees Archaeology have assessed the archaeological desk based assessment and geophysical survey report submitted with the application. In addition the site was also subject to trial trenching in the 1990s and the results of this are presented in the desk based assessment. Whilst it is noted that the development area contains part of a Bronze Age settlement and burial site, the geophysical report along with the results of the previous trial trenching provide a sufficient evidence base to make an informed planning decision with regards to the impact of the development on the significance of the Heritage Assets.

38. Tees Archaeology advise that the archaeological remains are of local to regional importance and would not preclude development providing that appropriate mitigation took place. This mitigation could either take the form of the physical preservation of the heritage assets or their archaeological excavation prior to development (or a combination of both approaches).which can be secured though a planning condition. As a consequence it is considered that the proposed development would not have a detrimental impact on features of archaeological interest so as to justify a refusal of the application and thereby accords with saved policy EN30 of the Local Plan.

Setting of Listed Building;

39. Little Maltby Farm which lies to the east of the application site is a grade II listed building and would be at nearest in excess of 170m from the application site. Whilst at present the surrounding area is open, reflecting both the buildings and surrounding lands former agricultural nature, housing will sit between the application site and the listed property as a result of the already consented 350 dwellings and Free School. As a consequence the additional housing to be located on this application site is not considered to have any detrimental impact on the setting of this listed building that would justify a refusal of the application. Accordingly the development is considered not to conflict with saved Policy EN28 or with guidance within the NPPF in this respect.

Protected species;

40. Although Natural England have not commented on this application, consideration has been given to their standing advice, survey information provided by the applicant and the approach taken by the secretary of state and planning inspector as part of the recent appeal process.

41. During the course of the previous application for the wider site for 350 homes and the free school (which this site forms part of) species surveys were carried out and Natural England had no objections to the proposed development. A planning condition was imposed by the Secretary of State to require a timetable for the implementation of ecological mitigation measures to first be approved by the Local Planning Authority. It is therefore recommended that this condition be re-imposed and consequently that this proposal does not pose any significant risk to protected species. In accordance with the request from the Environment Agency, a planning condition is also imposed with respect to the provision and management of a 10metre wide buffer zone alongside the watercourse.

42. In view of the above the proposed development is not considered to result in any detrimental impacts on protected species or their habitats and accordingly the proposal is in accordance with guidance contained with the NPPF.

Flood Risk;

43. The Environment Agency and Head of Technical Services have considered the proposal and information submitted and have no objections to the proposed development subject to a planning condition ensuring that a planning condition is imposed with respect to surface water drainage. Given this can be controlled via a planning condition it is not considered that the proposed development poses any significant threat to flood risk and as a result accords with guidance within the NPPF.

Crime and Antisocial-behaviour;

44. Section 17 of the Crime and Disorder Act 1998 places a duty on the Council to deliver safer, more secure communities and places a duty on them to do all they can to reasonably prevent crime, disorder and anti-social behaviour in their area. Secured by Design requires that community safety is a central part of the design process the guiding principles encourage well designed, attractive, clearly defined and well maintained developments so that a sense of shared ownership and responsibility is created.

45. The final design of the scheme is yet to be established and opportunities for designing out crime would need to be fully considered at the reserved matters stage of the application. There is no evidence to suggest that the proposal will increase anti-social behaviour and careful consideration would need to be given to the overall layout and design of the development to ensure accordance with secure by design principles.

Residual Matters;

46. Although the objections raising concerns about the loss of view and impact of the development on property prices are duly noted, this is not a material planning consideration and cannot be taken into consideration as part of this planning application.

47. Comments in relation to increased air and noise pollution are noted, however, the Environmental Health Unit Manager is satisfied that the proposed development does not cause any significant impacts in this respect to justify a refusal of the application.

48. Whilst comments with regards to previous Public Consultation with respect to the Free School and housing are noted, the outline planning application did not seek to establish a layout. Any drawings that were consulted on were therefore subject to a future planning application and liable to change.

CONCLUSION

49. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and the need to achieve sustainable development. It defines sustainable development as having three dimensions - economic, social and environmental. The proposal seeks to provide 70no. dwellings which given the Borough's lack of a five year housing land supply means that the development must be considered in line with the NPPF and the presumption in favour of sustainable development.

50. Although the site lies within the Green Wedge and Core Strategy Policy CS10 seeks to ensure that the separation between settlements is maintained and that the quality of the urban environment is protected, built development has already been permitted to take place on the site. Furthermore, the application site would lie adjacent to existing housing (Regency Park) and housing as part of an extant outline planning permission. Consequently, the proposal would be seen against the context of built development to the south, east and west. Although additional housing will be provided, no further land is required and consequently the impacts of this development on the openness, amenity value, and landscape quality of the site are considered to be limited.

51. The proposed development is considered to be acceptable in all other regards. The application is therefore recommended for approval subject to the planning conditions and Section 106 Agreement Heads of Terms set out within this report.

**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 K C Faulks, Jean Kirby & 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; S1626/74; S1629/75; S1389/88; 90/1965/P, 94/0385/P, 97/0884/P, 00/1063/P, 00/1064/P, 03/1976/P, 03/1977/P, 06/2593/OUT, 12/2517/OUT, 13/3077/VARY, 13/3107/OUT & 14/0569/REV.