

DELEGATED

AGENDA NO
PLANNING COMMITTEE
12 NOVEMBER 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

14/1687/FUL

Land North Of South Avenue, Stillington, TS21 1JX
Construction of 39 houses including 19 affordable dwellings and other ancillary works including access and landscaping.

Expiry Date: Extended until 19th November 2014

SUMMARY

Planning permission is sought for a residential development on an existing allotment site outside but adjacent to the limits of development for Stillington Village. Being outside of the defined limits of development, housing would not normally be supported, however, the council is unable to demonstrate a deliverable 5 year housing supply and in accordance with the National Planning Policy Framework, the councils own housing policies within the Local Development Plan are unable to be afforded weight. The principle of development on this site is acceptable on this basis.

The village is classed as a sustainable location for new housing development within the councils villages study whilst there is a proven need for rural affordable housing. The scheme would assist in delivering on these planning policy requirements.

Although objections have being received in respect to the additional traffic into the village, the nature of the access, the development of the allotment site and other similar matters, officers consider that adequate provision for the traffic and access has been made and that the layout adequately provides for and protects privacy and amenity. The design of properties and their scale is considered to accord with relevant policy as does the provision of parking. The permission is required to contribute towards the provision of education places, off site public open space / recreation as well as a traffic calming feature for the entrance into the village. These form part of the Section 106 Agreement and the conditions.

Adequate provision of foul and surface water drainage is considered to be achievable as is mitigation of likely ecological impacts of the development. Re-provision of the allotments is being considered as part of a separate application although requirement for re-provision is a requirement of condition as recommended.

RECOMMENDATION

That planning application 14/1687/FUL 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 below and should the S106 not be completed and signed by the 19th November 2014 then the application be refused for lack of provisions as detailed within the Heads of Terms;

- 01 Approved Plans**
The development hereby approved shall be in accordance with the following approved plans;

Plan Reference	Date on Plan
11-011-103	19 th August 2014
11-011-101Rev A	24 th October 2014
PD10-RSL:F119-1	20 th June 2014
PD10-RSL:F115-1	20 th June 2014
PD10-RSL:F114-1	20 th June 2014
PD10-RSL:F113-1	20 th June 2014
PD10-RSL:F112-1	20 th June 2014
PD10-RSL:F104-1	20 th June 2014
BT/sheet 19	20 th June 2014
BT/sheet 15	20 th June 2014
BT /sheet 14	20 th June 2014
BT /sheet 05	20 th June 2014

Reason: To define the consent

- 02. Survey in respect to contamination from an old landfill site**
No development hereby approved shall be commenced on site until a site investigation has been undertaken to determine the nature and extent of landfill gas and any requirements thereafter.

The site investigation and risk assessment report shall be undertaken in accordance with 'Guidance on Evaluation of Development proposals on sites where methane and carbon dioxide are present' (NHBC March 2007) and CIRIA document C659 and subject to the written agreement of the Local Planning Authority.

Remediation works will take place in accordance a scheme of remediation which has first been submitted to and approved in writing by the Local Planning Authority and compliance reports shall be provided to the Local Planning Authority within 1 month following completion of the remediation works. No development shall take place until the Local Planning Authority has given their written agreement to the compliance reports. Any future monitoring or maintenance associated with compliance must be conducted in accordance with DEFRA and the Environment Agencies 'Model Procedures for the Management of Land Contamination, CR11'.

Reason: The proposed development is situated within 270m of an old landfill site.

- 03. Levels**
The development hereby approved shall be built in accordance with a scheme of finished levels which has been submitted to and approved in writing by the Local Planning Authority prior to the development commencing on site. The scheme shall detail existing land level and levels of the houses to be built as well as proposed land levels, carriageway levels and levels of the adjacent hedgerow to the western site boundary.

Reason: In order to ensure the development does not overly dominate the site and its surroundings in accordance

- 04. Construction Management Plan**
The construction works associated with the development hereby approved shall be undertaken in accordance with a Construction Management Plan which has first

been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include, but not be restricted to;

- **Access proposals (including HGV routes) and HGV trip profile;**
- **Details of staff parking proposals during construction;**
- **Hours of construction; and**
- **Appropriate mitigation measures.**

The development shall be undertaken in accordance with the Construction Management Plan.

Reason: In order to limit the impacts of construction operations where possible in accordance with the guidance within the National Planning Policy Framework.

05. Renewables or Fabric First

The development hereby approved shall be undertaken in accordance with the Energy / Sustainability statements submitted on the 20th June 2014 as part of the application documentation unless an alternative scheme has been first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to accord with the principles of achieving reductions in energy demands from the properties and the general principle of Core Strategy Development Plan Policy CS3(5).

06. Code 4 Construction

The dwellings hereby approved shall achieve a minimum of Level 4 of the Code for Sustainable Homes unless otherwise agreed in writing with the Local Planning Authority or any other equivalent Building Regulation rating at the time of the submission of the application for reserved matters.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Adopted Core Strategy policy CS3 and in the interest of compliance with National Planning Policy Framework.

07. Affordable Housing

A total of 15% - 20% of housing provision within the site shall be affordable in perpetuity in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. The details shall include but not be restricted to including the precise units to be affordable, the nature of tenure and mechanism for delivery.

Reason: In accordance with the requirements of Core Strategy Development Plan Policy CS8 (5).

07. Drainage

Surface water discharges from this site shall be flow regulated so flooding problems elsewhere in the catchment are not exacerbated in accordance with a scheme of drainage that has first been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme.

The drainage system must be designed to provide sufficient storage within the system to accommodate a 1 in 30 year storm. The design should also ensure that storm water resulting from a 1 in 100 year event surcharging the drainage system can be stored on site without risk to people or property or overflowing into drains or watercourses.

Reason

To reduce the risk of flooding from the site in accordance with the principles of Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

09. Construction Working Hours

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.

10. Landscape Protection Scheme

No construction works or pre site commencement works shall be undertaken on site until a landscaping protection scheme has been implemented on site in accordance with details of such which has first been submitted to and approved in writing by the Local planning Authority.

Reason: In order to adequately take account of landscaping surrounding the site in accordance with the principles of Core Strategy Development Plan Policy CS3 Sustainable Living and Climate Change.

11. Boundary treatments

No property hereby approved shall be occupied until the associated boundary treatments have been implemented on site in accordance with details on approved plan 11-011-101 Rev A as received on the 24th October 2014 or any alternative plan which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to achieve an appropriate form of development in accordance with the requirements of Core Strategy Development Plan Policy CS3 – Sustainable Living and Climate Change.

12. Landscaping Scheme

Landscaping shall be implemented and maintained on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. Planting for each individual property shall be completed prior to the occupation of each individual property and shall be maintained in accordance with the approved scheme of maintenance.

Reason: In order to achieve an appropriate form of development in accordance with the requirements of Core Strategy Development Plan Policy CS3 – Sustainable Living and Climate Change.

13. Materials

The properties hereby approved shall be built in accordance with details of materials for the walls and roof to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to achieve an appropriate form of development in accordance with the requirements of Core Strategy Development Plan Policy CS3 – Sustainable Living and Climate Change.

- 14. Footpath Works**
Above ground works of the development hereby approved shall not be commenced on site until a footpath has been provided in accordance with details to be provided and agreed in writing by the Local Planning Authority for the provision of a footpath connection on the south side of South Street.
- Reason: To provide safe passage for pedestrians in accordance with the principles of saved Local Plan Policy HO3 and the National Planning Policy Framework.***
- 15. Allotment replacement scheme**
The development hereby approved shall not be commenced on site until a scheme for replacement provision of allotments has been implemented on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not restricted to providing details of any land transactions and mechanisms for replacement allotments to be provided. The scheme shall detail pedestrian and vehicular access to the site, sub division of plots and any services as deemed necessary.
- Reason: In order to achieve reasonable replacement of a community provision and to ensure adequate highway safety.***
- 16. Pumping Station**
Notwithstanding the indicative details shown for the pumping station, the pumping station shall be built in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority.
- Reason: In order to ensure an appropriate form of development is achieved in accordance with the requirements of Core Strategy Development Plan Policy CS3.***
- 17. Species Mitigation**
No development hereby approved shall be commenced on site until a scheme of Ecological Mitigation has been carried out or scheduled to be carried out on site in accordance with sections D4, D5 and D6 of the submitted Ecological Report entitled 'E3 Ecology Extended Phase 1 Habitat Survey and CSH Assessment – Land at South Avenue, Stillington – Report No.1 Draft August 2013' and in accordance with a detailed scheme which has first been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme.
- Reason: In order to make adequate mitigation for ecology and wildlife in accordance with the guidance within the National Planning Policy Framework.***
- 18. Vegetation / Landscaping Clearance works**
Any landscaping or vegetation removal works and building demolition works within the site shall be undertaken outside of the bird breeding season (March to August) unless a nesting bird survey has first been undertaken and submitted to the Local Planning Authority and the Local Planning Authority has confirmed agreement to any proposed removal.
- Reason: In order to take account of potential wildlife within the site in accordance with the requirement of the National Planning Policy Framework.***
- 19. Unexpected land contamination**

In the event that contamination is found at any time when carrying out the approved development, 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 and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.

Reason: To ensure the proper restoration of the site and to accord with guidance contained within Stockton on Tees Core Strategy Policy 10 (CS10) – Environmental protection and enhancement

Informative 1: National Planning Policy Framework

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

Informative 2: Contact Northern Gas Networks

Northern Gas Networks have advised that there may be gas apparatus in the area and that the developer contact them to discuss this. Contact details given are as follows;

Sandra Collett

Network Records Assistant

0845 6340508 (option 6)

Informative 3 – Welcome Packs – Sustainability

It is recommended that the developer provides welcome packs for new occupants which should provide details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour amongst residents from the outset of the development.

HEADS OF TERMS

Precautionary Education Contribution to provide primary/secondary school places should they be required at the commencement of development in accordance with the Council's Supplementary Planning Document on Contributions. .

A Highways Contribution of £6,000 for traffic calming works on South Street,

Moving the 30mph zone, other highway works.

The provision of an uncontrolled crossing point near to the site access and a footpath from near to the site entrance to the existing footpath.

Open Space Contribution of £52,290 to be spent in respect of open space, recreation and landscaping within the local area.

BACKGROUND

92/1051/P

Outline application for residential development.

Refused on appeal (non-determination of Local Planning Authority) 3rd November 1992

Refused for reasons relating to;

The proposed development would have had a harmful impact on the relatively open and largely rural views and because of its large scale, the development would be obtrusive, even though the site is in a hollow and would have a harmful effect on the character of the area and the present open edge between the countryside and the village.

The required visibility splay of 90m could not be achieved in an easterly direction without affecting the gardens of the dwellings on South Avenue which have mature front hedges and which would impede clear visibility for drivers leaving the site in addition to which a footway would be required to the road frontage to avoid danger to pedestrians. There did not appear the current need for new development in the village which would override the fact that the proposal would represent a large scale development on the edge of the village.

SITE AND SURROUNDINGS

1. The application site is located to the west side of Stillington, a village within the north western part of the borough. The proposed development area is on an existing set of allotments which would be relocated and for which a separate application is currently being considered.
2. The site is accessed from the north side of South Street, and is formed by a sloping hillside on the edge of the settlement. Agricultural land lies immediately to the north and west of the site, Stillington Social Club and further agricultural land lies to the south on the opposing side of the highway and existing housing lies to the east. The immediately adjacent housing is in two terrace blocks, facing north south and set part way up the hill side with long linear gardens running down to South Street.
3. There are currently two vehicular accesses into the allotments at either end of the frontage onto South Street. The allotments are relatively green with some tree planting in and around the site and a number of makeshift sheds throughout the sub-divided plots.

PROPOSAL

4. Planning permission is sought for the erection of 39 dwellings including 19 affordable homes and associated highway, access and landscaping works. The proposed layout shows a single access point off the existing highway with all properties being served off a cul-de-sac arrangement.
5. The scheme would provide 4 semi-detached bungalows, 32 semi-detached houses and a terrace of 3 houses, each shown having driveways, bin store areas and cycle stores. Extended gardens are located on the southern side of the development adjacent to South Street with a number of properties facing onto South Street.
6. The application detail has been amended since it was initially submitted to re-organise footpaths and drives, provide a pedestrian route to possible future allotments and introduce hip roofs to several properties.
7. The submission includes some landscaping details, boundary enclosure plan, Flood Risk Assessment, Ecological Statement, Transport Statement, Sustainability Report and Design and Access Statement.

CONSULTATIONS

Consultees were notified and any comments received are summarised below:-

8. Councillor Andrew Stephenson

This area of Stillington has serious drainage problems. Will these houses have their own drainage system, if not, it will only add to the areas problems.

I am not happy about the cul-de-sac arrangement. We already have cul-de-sacs in the area with major parking issues, I object. The layout needs a drive through design, as cul-de-sac only cause traffic issues, either now or in the future.

9. Parish Council

The Members of the Parish Council would like to object to this planning application. As the current allotment holders seem keen to move to the proposed new allotment site, the Members main objections are not about the erection of the houses but are concerned with the proposed access routes around the development, the limited extension of the 30mph speed limit, the potential impact of the development on drainage and other local services and the administration of the new allotment site.

The proposed pedestrian access from the new site will always involve crossing the main road that runs through Stillington at least once and the road will have to be crossed twice in order to access the post office, shop, doctor's surgery, school, playground and many of the other properties and amenities in the Village. The Councillors feel that this will not be safe, particularly for the children who live in the proposed properties. The main road in Stillington is very busy at certain times of day, particularly when shifts change on the industrial estate. At these times many of the cars are driven at speeds that are excessive for the road conditions. If land is purchased to the south of the main road for access, this should be used to widen the road so pedestrian access and be constructed on the north edge of the road. Pedestrian access should also be extended to the west so people can safely walk to the proposed access road for the new allotments. Members realise that currently there is no pedestrian access to the allotment site but feel that this is far from ideal given the speed that cars travel at along this stretch of road and it is a problem that should be rectified.

The proposals relocate the 30mph speed limit to just beyond the access road to the new houses. Members of the Parish Council do not think that this is far enough as people will walk to and from the access road to the allotments and it is common for vehicles to only begin to slow down once they actually reach the 30mph sign. The Parish Councillors would like the plans altered or a condition applied that requires the 30 mph limit to start to the west of the allotment access road with street lighting to be provided along the length of the development and a vehicle activated sign in position to ensure the maximum possible safety for pedestrians.

The transport statement for the development details that only one slight collision in the area in the last five years. Members of the Council are aware of other accidents that have occurred on this stretch of road that have not been officially recorded - one involving a horse and rider. It should be noted that people regularly ride horses along this road. In recent years a bus and a gritting lorry have come off this stretch of road in the winter and about ten years ago a motorcyclist suffered severe head injuries and later died after crashing from this stretch of road into the allotments. This demonstrates that this area is not as safe as the transport statement implies and an extension to the 30mph limit is necessary.

There is poor visibility along the main road from the junction of West Street and South Street. Councillors are concerned that the visibility from the proposed access road onto the main road will be poor also and would like all concerned to ensure that this is not the case.

Regarding other aspects of the transport statement - people can cycle in this area, but there are no safe cycling routes in the Parish or the surrounding area. Most parents consider that the local roads are not safe to cycle on with their children; many adults would

not consider cycling due to the layout of the roads and the speed of the cars using them. If safe cycling routes can be incorporated into these plans that would be very beneficial. There are no longer two bus services from Stillington to Stockton. One service has recently been withdrawn leaving only one. Due to the withdrawal of subsidies for bus services, the remaining service is for a trial period and there is no guarantee that it will continue in the long term. There is no evening or Sunday bus service to the Parish.

When considering this application and the conditions that will be attached, Councillors would like other potential developments that could be happening in the area at the same time to be taken into account. A planning application has recently been submitted for a housing development at the other end of Stillington and the proposed Lambs Hill wind farm just outside the Village could also be constructed around the same time as these housing developments if permission is granted. If work is underway on all three projects at the same time the amount of construction traffic and other disruption in the Village could make life very difficult for our residents. If it is possible to attach conditions to the planning applications that will in any way reduce the cumulative effect of the disruption caused by work that will be underway, the Parish Council would like to see these conditions attached and rigorously enforced.

Members of the Parish Council are concerned that if both of the proposed planning applications for new housing are approved, the infrastructure in the area to deal with sewage and water run-off in times of heavy rain may not be able to cope with the additional pressure that these developments bring. There are already problems in areas of the Village with flooding and the Councillors would like to be assured that the Stockton Borough Council Planning and Highways departments, the Environment Agency and Northumbrian Water have assessed at the whole area and will make sure that any improvements that are considered necessary are incorporated into the development plans. Some of the current problems affect areas adjacent to this planning application - namely the houses in South Avenue and the gardens at the bottom end of West Street. There have been problems with flooding by foul water and surface run off in gardens and garages. Surface water running across the main road in front of the South Avenue properties is a problem in the winter as the water freezes. Members of the Parish Council would like to see these issues addressed before any additional building work is carried out in this area as the extra development is likely to increase the scale of the problems.

Stillington has grown significantly in the last twenty years and car use by residents has increased in that time also. The Parish Council feel that with potentially nearly another 100 properties being built in the Parish and an additional 150 - 200 cars travelling in and out of the area on a daily basis, it is time that general improvements are made to the road network in the area - particularly between Stillington and Old Stillington - to ensure that the risk of road accidents is minimised. If it is possible to incorporate highway improvements in the plans for this development and the other planning application for housing in the Parish, the Councillors would be happy to meet with planning officers to discuss this further.

Regarding the re-location of the allotments, the details of this scheme have not been published with the planning application. The Parish Council understand that the allotment holders are content to move to the new allotment site but understand that aspects of the re-location rely on an allotment association being formed. Currently the allotment holders are not part of an official association and the Councillors would like to ensure that the new allotments and associated facilities are established and protected without the existing tenants being expected to take on an onerous amount of responsibility and administration for the development and management work.

Thank you for your consideration of the matters raised in this letter,

10. SBC - Spatial Plans Manager

The development plan currently comprises the:
Stockton-on-Tees Core Strategy DPD (March 2010),
Saved policies of the Stockton-on-Tees Local Plan (1997)
Saved policies of the Local Plan Alteration Number One (2006), and
The Tees Valley Joint Minerals and Waste LDD (September 2011).

The application site is outside the limits to development for Stillington as designated on the 1997 Local Plan Proposals Map. Village development limits have not been altered on the Core Strategy Strategic Diagram. The Council consulted on the Regeneration and Environment LDD preferred options document and associated documents including the policies map in the summer of 2012. The policies map shows that the site is designated as outside the limits to development in the emerging LDD.

The National Planning Policy Framework (NPPF)

The NPPF is a significant material consideration in the determination of planning applications. Paragraph 14 states that at the heart of the NPPF is the presumption in favour of sustainable development which is a 'golden thread running through both plan-making and decision-taking'. For plan-making this includes local planning authorities positively seeking 'opportunities to meet the development needs of their area'. For decision-making it means:

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

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.

Delivering a wide choice of high quality homes

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

The NPPF provides the following policy on rural housing provision: 'In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.' (Para. 54)

'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby ...' (Para. 55)

Achieving sustainable development and core planning principles

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

The NPPF core planning principles include making every effort to 'identify and then meet the housing, and respond positively to wider opportunities for growth.' The 1st bullet point of NPPF paragraph 47 states that to boost significantly the supply of housing local plans

should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework. The proposal would assist in addressing the identified need for housing and thus fulfil both a social and an economic role.

The NPPF states that one of the core planning principles is to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable' (Para. 17, 11th bullet point).

The supply of deliverable housing land

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

Relationship to the adopted Development Plan

Limits to development

'Saved' Policy EN13 sets out the categories of development that may be permitted outside the limits to development. The proposal does not fall within any of the categories. The proposal is contrary to Policy EN13.

Point I of Core Strategy Policy 1 (CS1) states that '... In general, new development will be located within the conurbation, to assist with reducing the need to travel'. The proposal is contrary to Policy CS1.1.

The proposal will need to be assessed in relation to Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel.

The proposal will need to be assessed in relation to Core Strategy Policy 3 (CS3) – Sustainable Living and Climate Change.

Landscape and Visual Impacts

The Stockton-on-Tees Landscape Character Assessment and Capacity Study (July 2011) provides the evidence base to consider the proposal in landscape terms. The site is located in an area with low landscape capacity (Site SLCA0114 – Landscape Capacity Assessment). Landscape capacity is the ability for the landscape to accommodate change without significant impact. The assessment for Landscape unit also states that the value of the landscape is high and that it has high visual sensitivity. The sensitivity of the aesthetic aspects, landscape sensitivity and the sensitivity of the individual elements is classed as medium.

Affordable Housing Provision

Point 4 of Policy CS8.4 states that the average annual target for affordable homes is as follows:

100 affordable homes per year to 2016

90 affordable homes per year for the period 2016 to 2012.

The proposal would contribute to achieving the annual targets for affordable homes.

Rural Affordable Housing Provision

Point 9 of Policy CS8 states: 'The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a 'rural exception' site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.' The supporting text for the policy states that a rural exception site is 'specifically for affordable housing'.

The proposal is not a rural exception site as defined by Policy CS8.9. However, it could be contended that the additional affordable homes would contribute to the wider need for affordable homes in the Borough.

The Regeneration and Environment Preferred Options

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

Emerging Policy H3 – Housing Mix and Affordable Housing Provision

Point 10 of the policy repeats Point 9 of Core Strategy Policy 8 (see paragraph 23 above) but adds 'Planning applications should be supported by robust evidence of deliverability'.

The weight to be attached to emerging policy

There have been some objections to the policy. In the context of the statement in paragraph 216 of the NPPF, only limited weight can be attached to the policy.

Relationship to the evidence base

The 2012 Tees Valley Strategic Housing Market Assessment

The TVSHMA shows a net annual affordable housing requirement for the Borough of 560 homes (Table 4.20).

The 2013 Stockton-on-Tees Rural Housing Needs Assessment

The study updates the rural housing needs assessment published in March 2010.

Additionally the study considers general housing demand in the Rural Areas. Key findings of the study are as follows:

Analysis of market demand would suggest a 5 year shortfall of 107 open market dwellings across the Rural Area

The research has evidenced that there is a need for affordable housing across the rural area of Stockton-on-Tees. An annual shortfall of around 27 dwellings each year has been calculated which equates to 132 over the 5 year period 2013/14 to 2017/18.

Specifically in relation to the Stillington and Whitton parish group, the study shows an annual net affordable housing shortfall of 20 dwellings.

The proposal would deliver 39 affordable homes. This represents affordable housing provision of 100%. The proposal exceeds the identified affordable housing requirement for the Stillington-Whitton parish group. However, it will also contribute to reducing the Borough-wide net annual affordable housing shortfall identified in the TVSHMA. This is a significant material consideration in support of the application.

The 2012 Planning the Future of Rural Villages Update

The site is located adjacent to the village of Stillington which has numerous services and facilities located within the village and two hourly bus services to the conurbation enabling additional services and facilities to be accessed by public transport. In 2008 the Planning the Future of Rural Villages in Stockton-on-Tees Borough Report was published. The purpose of the report was to underpin and support policy development. The study

establishes the levels of facilities available within the Borough's rural villages and assesses their sustainability. The outlying villages were grouped into tiers based on their sustainability, with tier 1 being the most sustainable and tier 4 being the least. Only those villages falling within either tier 1 or 2 have been considered to be sustainable enough to accommodate further infill housing. Stillington Village is identified as a tier 1 village within the latest update of the study undertaken in 2012.

There is a need to update the Planning the Future of Rural Villages in Stockton-on-Tees Borough study to reflect changes in services and facilities available to the rural villages. However, there do not appear to be any major changes to the services and facilities available to the residents of Stillington.

The case officer will need to be satisfied that prospective residents for this proposal would have a comparable level of access to services and facilities as those currently within the village.

Other material considerations

The proposal involves the loss of allotments. Clarification should be sought as to how this loss will be adequately compensated for.

In summary, the Spatial Planning team has not identified any adverse impacts that outweigh the benefits of the proposal, subject to clarification being provided as to how the loss of the allotments will be adequately compensated for and the case officer being satisfied that prospective residents will be able to satisfactorily access the services and facilities within the village.

11. SBC - Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns regarding construction noise and land contamination, as there is an area of unknown landfill from its previous use as a stone quarry approximately 30 meters from the site, as well as a disused landfill site located approximately 270 meters from the site.

I would therefore recommend the conditions as detailed be imposed on the development should it be approved.

Construction Noise

Possible land contamination

12. SBC - Private Sector Housing

The Private Sector Housing Division has no objections to make to this application.

13. SBC - Head of Technical Services

This is an update to the responses previously provided and is made taking into account the following information which has been submitted by the applicant:-

Revised surface water drainage details (drw ref 3937-FRA-05);

Revised proposed site layout details (Planning Layout (Draft 11)) ;

Additional information in relation to the Transport Statement.

Subject to the comments and conditions detailed below the Head of Technical Services has no objection to the proposed development.

Highways Comments

The revised information submitted has addressed the original concerns raised by Technical Services. Further information has been submitted in relation to the cumulative impact of all three developments within the Stillington area and on the West Stockton area. The

information provided shows that only 4 trips would enter the West Stockton area and this is considered to be a negligible impact and is therefore acceptable.

The revised Planning Layout (Draft 11) has taken account of previous comments made in relation to sub-standard parking provision and the in-curtilage parking is to the standards set out in SPD3.

Landscape & Visual Comments

The parking amendments still allow for a reasonable degree of garden space - landscaping should be amended to suit the new layout. The proposed path to the allotments comes near to a Hawthorn tree on the edge of the site, but this tree is to be removed within the development and does not meet Tree Preservation Order criteria. Therefore there are no landscape and visual objections to the amendments.

Flood Risk Management

The proposed development site is situated within flood zone 1. The development must not increase the risk of surface water runoff from the site or cause any increased flood risk to neighbouring sites. Any increase in surface water generated by the development or existing surface water/groundwater issues on the site must be alleviated by the installation of appropriate sustainable drainage systems within the site. The discharge rate from any new development should be restricted to existing greenfield runoff rates. Bishopton Beck is a main river and therefore any surface water discharge to this watercourse must be agreed with the Environment Agency.

The drainage system must be designed to ensure that storm water resulting from a 1 in 100 year event and surcharging the drainage system can be stored on site without risk to people or property and without overflowing into drains or watercourse. The flow paths for the 1 in 100 year flooding event is also required to identify where flooding may occur.

Full design details of the surface water management scheme and calculations showing how the drainage system will perform in a 1 year, 30 year and 100 year storm event and again over the same periods with a 30% allowance for climate change. Micro Drainage design files (mdx files) are required to be submitted for approval.

Condition

Surface water discharges from this site shall be flow regulated so flooding problems elsewhere in the catchment are not exacerbated. Final details of an appropriate surface water drainage solution shall be submitted to and approved by the Local Planning Authority before the development commences and shall be completed in accordance with the approved scheme.

The drainage system must be designed to provide sufficient storage within the system to accommodate a 1 in 30 year storm. The design should also ensure that storm water resulting from a 1 in 100 year event surcharging the drainage system can be stored on site without risk to people or property or overflowing into drains or watercourses. Micro Drainage design files (mdx files) are required to be submitted for approval. The flow path of the flood water exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should be provided.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area

It is recommended that the developer contact the flood Risk Management Team at an early stage to discuss surface water management requirements and their proposed surface water drainage solution for this development.

14. English Heritage

On the basis of the information provided, we do not consider that it is necessary for this application to be notified to English Heritage under the relevant statutory provisions.

15. Northern Gas Networks

Standard comments made regarding apparatus in the area and the need for adequate consultation with them from the developer.

16. Northumbrian Water Limited

The developer has made a pre-development enquiry to NWL which we responded to on 19th June 2013. In this response we stated the following:

Foul Water Discharge

The estimated foul flow of 1.8 l/sec can discharge into the 375mm diameter combined sewer at manhole 2308.

Surface Water Discharge

No surface water flow from the proposed development will be allowed to connect into the existing public sewerage system. In this instance we have identified that the surface water flow may be able to discharge to Bishopton Beck, however we suggest you contact the Environment Agency to discuss this further.

The document entitled 'Flood Risk Assessment and Surface Water Management Strategy' submitted with the planning application reflects our comments made in our pre-development enquiry response. It also states on P.17: "The watercourse is the obvious place to discharge surface water as the site is within the existing catchment area". NWL would therefore have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with this submitted document. We would therefore request that the Flood Risk Assessment and Surface Water management Strategy form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

17. The Environment Agency

No objections to the proposed development but wishes to provide the following information:

Surface Water Disposal. The Environment Agency recommend visiting their standing advice regarding general surface water drainage issues.

Disposal of Foul Sewage. As it is proposed to dispose of foul sewage via the mains system, 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.

Our records show that there could be water vole in the area. These are protected under the Wildlife & Countryside act 1981. Further guidance can be found on the Natural England website.

18. Stockton Police Station – Architectural Liaison Officer

The police have made various comments in relation to secure by design principles which is a Police initiative to guide and encourage those engaged within the specification, design and build of new homes and commercial premises to adopt crime prevention measures in these new developments

The principles of Secured by Design have been proven to achieve a reduction of crime risk by up to 75% by combining minimum standards of physical security and well tested principles of natural surveillance and defensible space.

Crime Pattern Analysis

A crime pattern analysis has been carried out within the nearby area of the development between 20/5/13 and 20/5/14 which revealed a total of 7 criminal offences and 80 incidents of anti- social behaviour.

Access and Movement

The aim is to create places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security.

I am not aware of the boundary treatments I would recommend that all rear boundaries that back onto open land require a 1.8m close boarded fence with support rails fitted to the private side. The fence should be topped with 200mmboxed trellis to offer additional security. All side gates to properties should be fitted as close to the front building line as possible and be to a minimum of 1.8m and fitted with a bolt and padlock. Sub divisional fencing should have a privacy section of 1.8m for 2.0m from the building. Sub divisional fencing from the privacy screen should be a minimum of 1.2m I would recommend that a boxed trellis of 300mm fitted to the fence. I am not aware of any proposed front boundaries could we discuss this particular to the corner plots.

Structure

The structure of a development is in a way it is laid out, to minimise conflict between different uses and avoids creating "dead spaces" that can be under used or ill cared for. Appears to meet this requirement subject to proposed front boundary treatment

Surveillance

Crime and anti-social behaviour are more likely to occur if criminals can operate, including travelling to and from a location, without the fear of been seen.

Security Lighting

Lighting to car parking areas all highways and footpaths should be lit to the levels as recommended by BS5489:2013 with a minimum 40% uniformity and a minimum colour rendering index of 60.

Ownership

Clear demarcation between private and public space gives people the opportunity to personalize their own space. Crime and anti-social behaviour are more likely to occur if it is unclear whether the space is public or private

A change of surface or rumble strip to the entrance of the development would be of benefit to help create the impression that the area beyond is private.

Physical Protection

Crime and ant-social behaviour are more likely to occur if the target hardening measures such as doors, windows and gates set out by Secured by Design are not selected to be appropriate to the security of the building and to the crime risk faced

Other comments were made in respect to door types, windows, security lights, intruder alarms, sheds and other such matters.

Sold secure Silver or LPS 1654 SR1 padlock

Secure anchorage certified to Sold Secure Silver or LPS 1175 SR1

PUBLICITY

Neighbours were notified and comments received are summarised below:-

19. Mr Stephen Fisher, 8 South Avenue Stillington

I have serious concerns regarding this proposed development! The proposed footpath and road access create an extremely dangerous situation. The pedestrian footpath would require two crossings, one at the end of South Street crossing to the proposed new footpath, the second which is shown on the plans crossing back over the road to the proposed development. People especially children, simply will not do this and walk on the road. As the road is access to the factories in the village for cars and commercial vehicles I seriously fear for safety of all road users. One serious injury or even death far out-weighs the need for this development.

Also there are concerns regarding drainage, the council and environment agency are aware of this issue as numerous reports of surface water in the gardens of South Avenue have been reported. The new proposal will only make this problem worse.

Finally I agree with the comments made by Mr Johnson, the village aspect will be lost turning Stillington into a small town instead of a rural village that it has been for many years.

20. Mrs D E Walters, 41 West Street Stillington

I moved here as the back garden was not overlooked and boarded fields. The village will not sustain the additional properties. Since moving to Stillington, there have been 3 new developments undertaken and the bus service has never improved, in-fact, the opposite and we now have a restricted service with no evening, Sunday or bank holiday service. I currently work in Middlesbrough and have to resort to taxis to ensure I can get to and from work at the required times. We also have one general store which opens restricted times. There are few amenities in the village and one of the most precious amenities is the countryside, wildlife, walks, trees and hedges. These are irreplaceable and these are just the things this scheme will take away.

The road into and out of the village is hazardous, especially during winter months. The beck running through the village floods every year, will this be rectified by this development?

I treasure the views from my windows and don't want these to be spoiled.

21. Mrs Jeanie Scott, 40 West Street Stillington

Object to the proposal of 39 more houses being built North of South Street in Stillington. Taking away the existing allotments yet again. Yes the allotment holders may be given alternative plots, but some of these members have occupied and worked these plots for many years, and with no disrespect to them some are too old to have to move and start again.. It seems that the quiet rural village of Stillington is slowly becoming a small town with-out the appropriate amenities, i.e. a school that will become over crowded, doctors surgery that will be unable to cope with x amount of more patients, more children in the area, with little to none of youth activities available to them only a small community centre... As i live on West Street i currently have great views from my upstairs window, "proper country view if you like" with open space, fields, trees, livestock, and so on... So development of a housing estate basically over the back from my garden would totally block out most of the scenic country side, as im sure it would for a lot of the residents living on West Street. I certainly do not like the idea of looking out on to some-one else's home.

22. Mr Robson, 59 West Street Stillington

The village is unable to cope with the number of houses being proposed, there is an inadequate bus service and poorly stocked shop. There are no real facilities in the village. There has been a number of accidents on the road with a motorcyclist being killed a few years ago and a young foal killed in 2012.

I do not want to see roof tops from my property.

There are a number of affordable homes for sale and rent on the market which are not moving.

Having known the site for 50 years, it has always flooded.

23. Mr Kevin Johnson, 6 South Avenue Stillington

Pedestrian access from the planned dwellings is not suitable for the speed of the current works traffic from Darchem. Commercial access for heavy goods vehicles from various sites throughout the village will prove potential risk to the increase of pedestrians. Stillington currently experiences difficulties with the amount of rainfall and sewage drainage over the winter months, the increase in dwellings will saturate an already known concern. Local amenities are minimized and temporary at present. The increase of Inhabitants will impact on an already poor service.

Council facilities for the local people have been dramatically reduced due to council decisions; poor bus service, no youth clubs, and limited use of the village hall. The lack of amenities and the increase of inhabitants may increase anti-social behaviour and develop a village of problems on the outskirts of Stockton.

The increase of family housing will add pressure to an already overloaded doctor's surgery and local schools.

The people of Stillington choose to live there due to its stunning views. The planning of three potential sites and wind turbine development are going to block any view of the countryside, not to mention the amount of construction traffic which will be adding to our existing busy roads.

Stillington is currently a quiet place to live, the developments will increase noise pollution, creating a town environment.

Due to it becoming a town environment, and no longer a rural country village, house prices could depreciate as Stillington will no longer be a desirable place to live.

The residents of Stillington feel strongly that Stockton Borough Council is not listening to its community, and would like to be heard.

24. Mrs Karen Marcelle Gears, 1A South Street Stillington

Raises concerns over both accesses into the existing allotments and visibility onto South Street, advising a biker was killed at this location. Also highlighting that the village should be kept a village and that there is an invasion of new build housing.

There are no amenities for toddlers and young people in the village and are already a lot of houses for sale in the village. Concerns over impacts on ecology.

25. Raymond Dunn, 17 West Street Stillington

Questions why the development is being undertaken when there are plenty of empty properties within the village and questions why the village is being spoilt for this purpose.

PLANNING POLICY

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

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

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

National Planning Policy Framework

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

For decision-taking this means:

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

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

Saved Policy EN13 of the adopted Stockton on Tees Local Plan

Development outside the limits to development may be permitted where:

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

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

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

Core Strategy Policy 1 (CS1) - The Spatial Strategy

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

Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.

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

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.

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.

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

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.

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

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

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.

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

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 7 (CS7) - Housing Distribution and Phasing

The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:

- (iii) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
- (iv) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
- (v) The priority accorded to the Core Area;
- (vi) Seeking to achieve the target of 75% of dwelling completions on previously developed land.

No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.

Areas where land will be allocated for housing in the period 2016 to 2021:

Housing Sub Area Approximate number of dwellings (net)

Core Area 500 - 700

Stockton 300 - 400

Billingham 50 - 100

Yarm, Eaglescliffe and Preston 50 - 100

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

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

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

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

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).

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

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

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.

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

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.

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.

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

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

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

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

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

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

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

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

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

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

MATERIAL PLANNING CONSIDERATIONS

The main material planning considerations relating to the determination of the planning application are the principle of residential development, sustainability, access and highway safety, the details of the proposal (layout, scale, appearance and landscaping), flood risk and drainage, affordable housing, land contamination, ecology

Principle of residential development

26. The proposed development is located on an unallocated site out-with the residential development limits for Stillington and one which is currently in use as allotments. It is also outside of the development limits within the emerging Local Plan. As such, the proposal is contrary to Local Development Plan Policy which guides the location of new housing. Notwithstanding this, the National Planning Policy Framework (NPPF) advises that Development Plan Policies for housing provision should be considered as being out of date in instances where the authority cannot demonstrate a deliverable 5 year supply of housing. The councils own quarterly update as at 30th June (last update) is 4.86 years although this figure does not take account of additions or reductions from the 30th June to date. As such no weight can be reasonably afforded to the housing related policies within the development plan.
27. Emerging Strategic Policy SP2 '*Housing Spatial Strategy*' provides a site selection hierarchy for new residential development which places sustainability at its heart. This emerging policy prioritises sites in the order of core area sites, the wider conurbation, sites adjacent to the conurbation, new sustainable settlements and village sites being last. Whilst noted, this is an emerging policy and there have already been significant recent permissions on some of the locations which would be considered as being a higher priority site within the emerging policy. Further to this, the council has undertaken a study which is aimed at planning the future of the Boroughs rural villages. Within that study, Stillington is classed as a Tier 1 village which is considered to be a sustainable location for housing development and where infill development is considered to be appropriate. Whilst this scheme goes beyond what would normally be considered to be infill development, given the presumption in favour of development within the NPPF, the need for housing, this site being away from the other recently approved sites to the south of the Borough and in a sustainable village where there is employment, a school, community centre and recreational opportunities, the principle of residential development in Stillington is considered to be acceptable.
28. The applicant has indicated that the development would be likely to be undertaken within 2 years, thereby achieving a reasonable contribution towards the deliverable supply of housing within the immediate future.
29. Residents' objections relate to the site being spoiled and the village being expanded too much when there is no need for new housing at this location with there already being a number of houses for sale in the village. Residents also highlight a dismissed appeal (in 1992) for development on the site where the inspector concluded as one of three main points that, there did not appear to be a need at that point in time for new development in

the village which would override the fact that the proposal would represent a large scale development on the edge of the village. Whilst these points are noted, it is considered that government's policy presumption in favour of new housing overrides these matters which are further supported by a defined local need for affordable housing and Stillington being a sustainable village.

Sustainability

30. The council's development plan and the NPPF support development being located at the appropriate location, being sustainable to assist with reducing the need to travel. As detailed above, Stillington is considered to be a sustainable village for some new housing development although it is accepted that some journeys would need to be made to fulfil normal daily life. There are some services and provisions within the village which will assist in reducing that need whilst there is a large employer within the village and new housing may be able to support such a use through providing opportunity for staff to relocate to the village.
31. Core Strategy Policy 2 (CS2) - *Sustainable Transport and Travel*, suggests that accessibility will be improved and transport choices 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 healthy lifestyles. Stillington is not well connected to the surrounding networks in terms of footpaths and cycleways, being a village surrounded by countryside. The Parish Council have highlighted inaccuracies in the submission in that Stillington does not have a train service, cycle routes are undesirable and the bus service arrangements are not as stated. Residents further suggest that the village is not sustainable and that its amenities are limited to a small shop, takeaway, hairdressers and doctors surgery and that these are stretched. Residents are also concerned that the lack of facilities may lead to anti social behaviour.
32. Officers appreciate that development in Stillington will have a reliance on the private motor car and on public transport. Bus stops are located within reasonable proximity to the site and Stillington is currently served by service 84 which provides an hourly service from 07:45 through to 18:45 Monday to Saturday, linking it to surrounding villages, Stockton Train Station and Stockton Centre. New housing development within the village may assist in this remaining service being viable and to assist with this, the Head of Technical Service has recommended that the development provides welcome packs for new occupants which should provide details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour amongst residents from the outset of the development. An informative has been recommended to address this matter.
33. Whilst there are more sustainable locations, new housing in Stillington is considered to be sufficiently sustainable to support new development. Further to this, the development, by way of Section 106 Agreement, would contribute to the improvement to off-site recreation which will arguably improve recreational opportunities within the village for all.

Access and Highway related matters

34. The scheme proposes a single point of access into the development and a cul-de-sac arrangement thereafter with 2 private drives off the end of the cul-de-sac, one of which provides a pedestrian access to the adjacent land as a potential link to a replacement allotment scheme. Footpaths line each side of the internal highway and each property is shown provided with 2 vehicle parking spaces. The access has shown the provision of a 4.5 x 50m visibility splay onto South Street.

35. A concern has been raised from residents about visibility splays at the access into this site and the proposed new access for the allotments, advising that a biker was killed at this location. Further concern is raised relating to the speed and extent of traffic past the site including heavy goods vehicles and the proposed pedestrian access to the site which requires pedestrians to cross the road as there is no continuous footpath link with the village along the northern side of South Street.
36. The local Councillor has raised concerns over the cul-de-sac arrangement for the estate highlighting problems of vehicle parking in other cul-de-sac's and has suggested that the development should be served by a road in and a road out. As the development is relatively small with its proposed entrance closest to the village and the 30mph zone will be moved to accommodate the site access, it is considered that two separate accesses are not required for this development.
37. Stillington Parish Council have objected to the scheme over concerns relating to the access routes associated with the development and the limited extension of the 30mph zone as proposed. They have highlighted that the pedestrian route from the development will always involve crossing the main road that runs through Stillington at least once and the road will have to be crossed twice in order to access the post office, shop, doctors surgery, school, playground and many of the other properties and amenities in the Village which they consider will not be safe, particularly for children and at busy times of the day when shift changes occur on the industrial estate when cars are considered to be driven at speeds that are excessive for the road conditions. The Parish Council has suggested the road be widened and a path provided on the northern side of the highway. Whilst there appear to be benefits of such a scheme, the plans have to be considered as submitted and the provision of a crossing point at the site entrance and new footpath link to the existing footpath network within the village are considered to be adequate in this regard.
38. With regards to visibility, residents and the parish council consider this to be poor along West Street and South Street and have highlighted concerns for the new access. An appeal was dismissed in 1992 for the residential development of this site and the Inspector cited one of the reasons as being a lack of suitable visibility splay at the access, indicating 90m was required. This is based on out-dated guidance and this current proposal is able to meet current standards, taking into account the 30mph zone being moved to include within it the new access.
39. The council's standard for parking for social housing is that 1 space is provided per property, although it is often requested that there is demonstration for further parking being achievable should the properties ever cease to be social. The scheme has been submitted detailing 2 spaces per property which exceeds standard and although concerns have been raised about parking, it is considered that adequate provision has been made.
40. Stillington Parish Council have advised that the one slight accident noted in the Transport Statement for the last 5 years is not accurate, indicating that other accidents have occurred, but have not been officially recorded, one of which involved a horse and rider and also advise that people regularly ride horses along this road. They have further indicated that in recent years a bus and a gritting lorry have come off this stretch of road in the winter and about ten years ago a motorcyclist suffered severe head injuries and later died after crashing from this stretch of road into the allotments. They consider that this demonstrates that this area is not as safe as the transport statement implies and an extension to the 30mph limit is necessary to a greater extent than shown on the submitted plans, to a point beyond the proposed vehicular access for the allotments.
41. A requirement of the proposed scheme (by condition) is to provide new allotments and an application is currently being considered for such on land to the north, with a pedestrian

access through this site and a new vehicular access just to the west of this application site, taken directly off the existing road. Stillington Parish Council recognise that there is currently no pedestrian access to the allotment site but feel that this is far from ideal and have suggested this be rectified by extending the 30mph zone further along the road up to the proposed new access for the proposed new allotments and that street lighting be part of this. Whilst noted, the replacement of the allotments is subject to a separate application and a further extension of the 30mph zone would be considered as part of that scheme. Furthermore, any application should not seek to rectify an existing problem; only mitigate its own impacts.

42. Stillington Parish Council consider that people cycle in the area but there are no safe cycling routes in the Parish or the surrounding area and suggest that most parents consider that the local roads are not safe to cycle on with or without their children. The Parish Council have therefore suggested that safe cycling routes are provided as part of these plans. Whilst noted, the developments taking place are considered to be of a relatively small scale and it is considered that such requirements would prove to be significantly onerous for such a small scheme. No such request has been made by the Head of Technical Services and as such no such requirement is being requested of the applicant.
43. The Parish Council have asked that consideration is given to the traffic disruption likely as a result of all recent developments in Stillington. In this regard, the requirement for Construction Management Plans are requirements for most housing permissions and form part of this recommendation which will allow some control over such matters but which will not be reasonably able to control the timing of the schemes commencement relative to other schemes.

Layout, scale and appearance

44. The site is laid out around the cul de sac and in part mirrors the layout of the adjacent existing properties in that houses are set back from the highway, having large, extended gardens between the properties and the highway and with houses fronting the highway. Notwithstanding this, properties proposed are of a smaller scale to those existing ones on the western edge of the village which is more a reflection of modern building preferences. Properties are mainly semi detached houses but include a terrace of 3 houses and 4 semi-detached bungalows which is considered to represent a reasonable mix of property types in line with policy requirements.
45. A number of roofs have been hipped to reduce their apparent bulk and dominance taking into account they will be visible on the edge of the settlement between the existing urban edge and the surrounding farmland. The land rises from a low southern point to a high northern point which will result in the rear tier of housing being visible above the lower tier. Levels are being controlled to prevent any significant or unnecessary changes in building heights whilst space within the development and landscaping will allow for the built form of the development to be broken up.
46. The layout provides front and rear gardens to properties which will assist in providing a degree of greenery within the development and provide adequate private amenity space for residents. Properties are reasonably well spaced from remaining landscaping and from one another to prevent undue impacts on privacy or amenity.

Landscape Designation

47. The Stockton-on-Tees Landscape Character Assessment and Capacity Study (July 2011) provides the evidence base to consider the proposal in landscape terms. The site is located in an area with low landscape capacity to accommodate change without significant impact and it is indicated that the landscape has a value that is high and that it has high visual sensitivity. It must be noted that the landscape area covered by this assessment is

relatively wide including expanses of farmland and it is therefore not just the application site itself. Reference is also had to the 1992 appeal decision for development on the site which was dismissed, with one of the grounds being that proposed it would have had a harmful impact on the relatively open and largely rural views and because of its large scale, the development would have been obtrusive, even though the site is in a hollow and would have a harmful effect on the character of the area and the present open edge between the countryside and the village.

48. The site remains to be on the edge of the village and will extend the village out into a less developed area. However, significant weight needs to be attributed to the requirement to provide a 5 year supply of housing. Further to this, the site is surrounded by higher land to the northern and western boundaries and has been gapped slightly from these boundaries. This will allow a reduced height for the properties and well selected landscaping will further assist with assimilation into the landscape. The site is already allotments with many small shed type structures within it and as such is not therefore part of the natural or farmed landscape which makes up the greater part of the surrounding area and the landscape character area within the capacity study. In view of the combination of these matters, it is considered that there is adequate justification to support this scheme in landscape terms.

Flood Risk & Drainage

49. The local Councillor, residents and others have raised concerns over the adequacy of drainage to serve the site which is normally a matter dealt with by condition. Further to this, residents advise that Stillington currently experiences difficulties with the amount of rainfall and sewage drainage over the winter months and believe that the increase in dwellings will exacerbate the existing problem.
50. With regards to foul water, Northumbrian Water advise that the estimated foul flows can discharge into the existing sewer. A pumping station is indicatively detailed to the front of the site and as no details are provided for this a condition has been recommended requiring these to be provided and agreed.
51. With regards to surface water from the site, Northumbrian Water has indicated that this will not be allowed to connect into the existing public sewer system and has highlighted that the submitted Flood Risk Assessment suggests the nearby Bishopton Beck is the appropriate place for discharge. Residents have indicated that the Beck floods every year and the road adjacent to this site (leading into the village) also floods and when it does, during winter months, the water can freeze making it very dangerous.
52. Water associated with the highway leading into the site will have drainage associated with it which should prevent water run-off from the internal highway running out onto South Street whilst the surface water from the house roofs will be piped to a separate location for controlled discharge. In view of these matters there should be significantly less surface water left standing on this site, thereby reducing the opportunity for flooding and the development should therefore not worsen the current situation.
53. The Environment Agency have not raised any objections to the application in respect to flood risk and drainage which is a matter also considered by the councils Head of Technical Services. The Head of Technical Services has indicated that the site is in Flood Zone 1 (zone of lowest risk of flooding) and that the development must not increase the risk of surface water run-off from the site or cause any increased flood risk to neighbouring sites with any increase in surface water generated or existing surface water / ground water issues on the site being alleviated by the installation of appropriate sustainable drainage systems within the site. It is further advised that the discharge rate from any new development should be restricted to existing greenfield run-off rates. The Head of

Technical Services has suggested a condition be imposed to regulate surface water discharge.

Affordable Housing

54. The proposed scheme seeks to provide 39 units of housing, 19 of which would be affordable (approx 48%). The remainder is intended to be provided at near affordable levels.
55. Policy CS7 of the core strategy requires new housing development of this type to provide between 15 and 20% affordable housing provision on site whilst the NPPF suggests that in rural areas, local planning authorities should consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs. The applicant has already advised a willingness to provide affordable housing levels beyond the range required by policy.
56. The Councils 2013 Rural Housing Needs Assessment evidences a need for affordable housing across the rural area of Stockton-on-Tees suggesting there is an annual shortfall of around 27 dwellings each year or 132 over the 5 year period 2013/14 to 2017/18. Specifically in relation to the Stillington and Whitton parish group, the study shows an annual net affordable housing shortfall of 20 dwellings. The proposal almost meets this target and taking into account a recent permission at the other end of the village, combined, they would exceed provision. The scheme is considered to be in line with relevant policy and a condition is recommended to ensure provision is perpetuity is achieved relative to policy requirements.

Land contamination and pollution

57. The proposed development is on the site of an existing allotment garden and is also in reasonable proximity to an industrial estate, an area of unknown landfill (approx. 30m away) from its previous use as a stone quarry, as well there being a disused landfill site located approximately 270 meters from the site. The Councils Environmental Health Officer has considered the development and suggested that conditions be imposed relating to unexpected land contamination and survey and remediation work being undertaken in respect to these nearby sources of possible contamination.

Ecology

58. A number of residents have raised concerns over the impact of the scheme on local ecology and wildlife which may use the site and which are said to be known to be in the area.
59. The ecological report submitted to support the application indicates the following;
- The site is currently used as approximately 30 allotments.
 - Mature, but broken, hawthorn dominated hedges form the boundary of the site to west, south and east, with a further privet and hawthorn hedge running alongside one of the tracks. The northern boundary of the site is principally a post and rail fence.
 - The surrounding habitat is mostly grazed grassland and arable fields.
 - The village of Stillington is to the east and is dominated by domestic housing, mature trees and areas of public open green space.
 - A small tree-lined watercourse flows to the south of the site, known locally as Bishopton Beck.
 - A road runs along the southern boundary of the site.

- Discussion with some of the allotment holders indicated that common amphibians have been encountered on and near the site, especially around a defunct well, which lies approximately 80m north, off site. Reptiles (possible grass snake or slow worm) have also been seen.

60. An extended phase 1 habitat survey has been undertaken by the applicant which indicates that the site is of no greater than local ecological value, being a mosaic of allotments, bare ground, rural/coarse grassland vegetation and surfaced access tracks with no water bodies present on site and no trees or structures suitable for roosting bats. It indicates that the allotments and particularly the bordering hedgerows will provide some foraging and commuting opportunities for any bats roosting within the village and some potential nesting opportunities for small numbers of farmland birds although the main body of the site is likely to be too regularly disturbed for ground nesting birds. It has highlighted that the allotments do not provide any areas suitable for Badger sett creation, but would provide potential foraging opportunities although the wider area lacks any larger blocks of woodland and badger are only likely to be present in low numbers.
61. It further indicates that habitats present on site have the potential to be of value to foraging amphibians and reptiles as well as butterfly and moths and that Bishopton Beck lies approximately 70m to the south of the site at its nearest point, separated from the site by pony grazed pasture land and a road. No records have been provided of otter or water vole being present in the area. The risk of water vole being present and entering the site is considered negligible. There is a low risk that otter, should they present along the beck, may enter the site occasionally.
62. There are no ponds on site, and none shown within 500m of the site and the risk of great crested newt being present on site is therefore considered very low. However, common amphibian presence has been reported by allotment holders. Hedgehog may also be present on site.
63. In view of the findings of the ecological report it is considered that there is limited potential for the site to offer any significant habitat for species, although these may exist on site and within the wider area to some extent. The proposed development will therefore be likely to result in limited loss of habitat, hedgerow opportunities and foraging. The survey has highlighted mitigation works necessary to prevent impact which relate to pre clearance checks for amphibian and reptiles, vegetation clearance to avoid bird breeding season and hedges to be gapped up where being retained. Conditions have been recommended to address these matters.

Open Space and recreation provision

64. Residents have raised objection that there are no amenities for toddlers and young people in the village. Whilst noted, the village is classified as being a sustainable location for new housing. In addition to this, there is a policy requirement (CS11) for the provision of open space, recreation and landscaping. Along with the two other recent housing applications within the village, the provision of open space, recreation and landscaping has been considered as a whole and there are two schemes intended for the village in relation to the provision of a multi-use games area and recreation improvement works. It is expected that the contribution as detailed in the Heads of Terms would be used towards these schemes but wording in the heads of terms and Section 106 allow for flexibility, to be used in Stillington in line with the provision of open space, recreation and landscaping.

Other Matters

65. The Councils Environmental Health Unit has no objection to the proposed scheme although has suggested a condition is imposed in relation to construction activity to limit its impact on

nearby residents. In view of the proximity of nearby housing a limit on hours of construction works is recommended.

66. Objectors are concerned that the proposed development would reduce property values within the Village; however, this is not a material planning consideration.
67. Some residents have objected on grounds of loss of view although in planning there is no right to a view although matters relating to existing amenity associated residents is considered within this report.
68. Some residents have indicated that Stillington is currently a quiet place to live and new developments will increase noise pollution, creating a town environment. It is considered that a scheme of this scale will have limited impacts in this regard.
69. The Police Architectural Liaison Officer has made various comments in relation to secure by design principles which are a Police initiative to guide and encourage those engaged within the specification, design and build of new homes and commercial premises to adopt crime prevention measures in these new developments. Advice is recommended in respect to fence types, site layout, active surveillance of areas and for the majority of the layout relative works, these details have been incorporated. The more detailed points of door and window locks and other such matters are considered to be beyond the reasonable scope of planning control.

CONCLUSION

70. It is considered that the provision of housing including a large percentage of affordable housing, on a site at the edge of a sustainable village accords with the guidance within the National Planning Policy Framework and the need to provide a 5 year supply of deliverable housing. Although as indicated above there are some detrimental impacts of the scheme, these are considered to be insufficient to outweigh the significant benefits. The site layout and access arrangements are considered to be suitable subject to the provision of footpath connection and the movement of the existing village speed limit to take in the new access point. Properties are of a suitable size and layout to provide for future residents along with provisions for off-site recreation.

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

WARD AND WARD COUNCILLORS

Ward	Western Parishes
Ward Councillor	Councillor Andrew Stephenson

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application beyond those detailed in the Heads of Terms.

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

The assessment of the application has taken into account the impacts on wildlife and ecology, the general character and appearance of the area as well as impacts on adjoining properties and the adjacent landscaping and issues of flooding. It is considered that there would be no undue impacts on these receptors. Detailed considerations are listed within the report.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report which has included an assessment of people's representations and a weighting up of the points raised. It is considered that no existing residents would be severely affected by the proposed development and comments raised have been taken into account.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report. Within this report consideration has been given to implications of increased traffic movements and the need for traffic calming. There are no other notable impacts on community safety recognised within the assessment of the proposed development.

Background Papers:

SBC - Regeneration and Environment DPD - Preferred Options draft
Stockton on Tees Landscape Capacity Study (White, Young Green)
Planning History