

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
8 APRIL 2015
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

14/3088/FUL

**British Visqueen Limited, Yarm Road, Stockton-on-Tees
Substitution of house types from previously approved 45 no dwellings (plots 248-262, 343-349, 376-383 and 400-403, 407-417. No changes to previously approved plots 404- 406) to replace with 50 no dwellings providing a net gain of 5 no dwellings of planning approval 09/2385/FUL - Redevelopment of the former Visqueen factory, Yarm Road, Stockton on Tees, including provision of 474 dwellings with associated landscaping and infrastructure work.**

Expiry Date 24 April 2015

SUMMARY

This application seeks planning permission for a substitution of house types at the former Visqueen site, Yarm Road, Stockton-on-Tees, which is currently being developed by Bellway Homes. The original approval in 2009 granted permission for 474 dwellings. This application seeks to replace 45 previously approved dwellings with 50 dwelling, providing a net gain of 5 dwellingss. The general layout of the properties and roads are of a similar layout to the original approved layout and subsequent variations to the original approval.

The main changes include the replacement of 4, 3-storey dwellings with 4, 2-storey apartment buildings (creating 8, 2-bed apartments). The other changes relate to a general reduction in the number of 4 bed dwellings and an increase in the number of 2 and 3 bed dwellings. The proposed house types form part of previous approved house types within the estate (with the exception of the apartment buildings).

The principal frontage of the site is on the western boundary along Yarm Road from where the site is entered and to which a large section of the dwellings (and apartment buildings) have been erected and are now occupied.

Following the submission of revised plans, the Built and Natural Environment Manager has raised no objections to the scheme in terms of highway and pedestrian safety, commenting that the requisite car parking is provided to design guide standard. The Council's Landscape Officer has raised no objections to the scheme on landscape and visual grounds. No objections have been received from other statutory consultees including the Environmental Health Unit.

To date, 7 objections have been received, which are set out in full within the report. These objections include; the apartments are out of character with overall estate and result in a cramped form of development, the proposals would exacerbate existing car parking problems resulting in highway and pedestrian safety issues, loss of privacy and potential for increase in anti-social behaviour.

Subject to the imposition of the identified relevant planning conditions, the scheme is considered to accord with the general principles of the National Planning Policy Framework. The scheme as proposed is not considered to have an adverse impact on the character and appearance of the approved estate layout and surrounding area or lead to an unacceptable loss of amenity and

privacy for neighbouring land users. It is considered that the scheme is acceptable in terms of highway matters.

The application is recommended for approval accordingly.

RECOMMENDATION

That planning application 14/3088/FUL be approved subject to the following conditions and informative below;

01 *The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.*

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

| <i>Plan Reference Number</i> | <i>Date on Plan</i> |
|-------------------------------------|--------------------------------|
| <i>14-1793/P01</i> | <i>26 November 2014</i> |
| <i>S4009</i> | <i>26 November 2014</i> |
| <i>L6504</i> | <i>26 November 2014</i> |
| <i>L6503</i> | <i>26 November 2014</i> |
| <i>S3629</i> | <i>26 November 2014</i> |
| <i>L6493</i> | <i>26 November 2014</i> |
| <i>L6494</i> | <i>26 November 2014</i> |
| <i>L5728</i> | <i>26 November 2014</i> |
| <i>L5729</i> | <i>26 November 2014</i> |
| <i>L6495</i> | <i>26 November 2014</i> |
| <i>L6558</i> | <i>26 November 2014</i> |
| <i>L6497</i> | <i>26 November 2014</i> |
| <i>L6236</i> | <i>26 November 2014</i> |
| <i>L6235</i> | <i>26 November 2014</i> |
| <i>L6683 D</i> | <i>2 March 2015</i> |
| <i>2024 C 00 191</i> | <i>2 March 2015</i> |
| <i>2024 C 00 190 A</i> | <i>2 March 2015</i> |
| <i>L6682 F</i> | <i>2 March 2015</i> |
| <i>QG/S/APT/001 A</i> | <i>27 February 2015</i> |
| <i>QG/S/APT/002 A</i> | <i>27 February 2015</i> |
| <i>QG/S/APT/004 A</i> | <i>27 February 2015</i> |
| <i>QG/S/APT/005 A</i> | <i>27 February 2015</i> |
| <i>QG/S/APT/006 A</i> | <i>27 February 2015</i> |
| <i>14-1793/P00 E</i> | <i>2 March 2015</i> |

Reason: To define the consent.

03. *Construction of the building's external walls beyond damp proof course shall not commence until all materials, colours and finishes to be used on all external surfaces have*

been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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

04. Notwithstanding the submitted plans all means of enclosure and street furniture associated with the development hereby approved shall be in accordance with a scheme to be agreed in writing with the Local Planning Authority before the development commences. Such means of enclosure and street furniture as agreed shall be erected before the development hereby approved is occupied.

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

05. Prior to the occupation of the dwellings hereby approved, full details of hard surfacing materials for the provision of car parking both within and without residential curtilages within the site have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development for surface water disposal.

06. Notwithstanding the submitted information, no development shall commence until a detailed scheme for landscaping and tree and/or shrub planting and grass has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities, layout contouring, drainage and surfacing of all open space areas. The works shall be completed in accordance with a phasing scheme to be agreed in writing with the Local Planning Authority. Should any trees or plants, excluding those within privately owned domestic gardens, within a period of five years from the date of planting die, be removed, become seriously damaged or diseased, these shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.

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

07. No development shall be occupied until a hard and soft landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape and public realm areas, other than privately owned domestic gardens, has been submitted to and approved by the Local Planning Authority. Soft landscape maintenance shall be detailed for the initial 5 year establishment period. A long-term management plan for all landscape and public realm areas for a period of 20 years should be submitted to and approved in writing with the Local Planning Authority. The landscape management plan shall be carried out as approved, unless the Local Planning Authority gives written consent to any variation.

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

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

Reason: To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirements of the NPPF.

09. Prior to the occupation of the dwellings hereby approved, details of the means and location for the storage and disposal of refuse for each unit shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and operational requirements of the Local Planning Authority.

10. The detailed design and materials of the garden sheds shall be agreed with the Local Planning Authority prior to the occupation of the dwellings hereby approved and shall be constructed in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

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

11. Car parking spaces, to Local Planning Authority standards, shall be constructed, surfaced and marked out in accordance with the agreed car parking spaces and layout plan 14-1793/P00 E (date received 2nd March 2015), to the satisfaction of the Local Planning Authority, before the dwelling units hereby approved are brought into use unless otherwise agreed in writing with the Local Planning Authority.

Reason: To make proper provision for off-street parking.

12. Notwithstanding the provisions of classes A, B, C, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based.

13. No construction/building works shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 8.00am and 1.00pm on Saturdays. No Sunday working and Bank Holidays.

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informative 1: National Planning Policy Framework

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

BACKGROUND

1. 09/2385/FUL Redevelopment of the former Visqueen factory, Yarm Road, Stockton on Tees, including provision of 474 dwellings with associated landscaping and infrastructure work, approved 23rd December 2009.
2. 10/2688/VARY Application under Section 73 to vary condition nos. 2 (approved plans) 09/2385/FUL (Redevelopment of the former Visqueen factory, Yarm Road, Stockton on Tees, including provision of 474 dwellings with associated landscaping and infrastructure work) to allow revisions to elevation treatments of buildings, approved 18th January 2011.
3. 10/2689/VARY Application under Section 73 to vary condition nos. 9, 10, 11, 13, 15, 18, 19, 20, 22, 23, 26 and 28 of planning approval 09/2385/FUL (Redevelopment of the former Visqueen factory, Yarm Road, Stockton on Tees, including provision of 474 dwellings with associated landscaping and infrastructure work) to allow the conditions to be discharged on a phase by phase basis, approved 18th January 2011.
4. 11/1320/VARY Application to vary condition 2 No. (approved plans) of 10/2689/VARY (Application under Section 73 to vary condition nos. 9, 10, 11, 13, 15, 18, 19, 20, 22, 23, 26 and 28 of planning approval 09/2385/FUL (Redevelopment of the former Visqueen factory, Yarm Road, Stockton on Tees, including provision of 474 dwellings with associated landscaping and infrastructure work) to allow the conditions to be discharged on a phase by phase basis), approved 31st August 2011.
5. 11/2679/VARY Application under Section 73 to vary condition no. 2 (approved plans) relating to plots 12-15 and 32 and 33 and apartment block F10 as agreed by planning application 11/1320/VARY, approved 12th April 2012.
6. 12/0141/FUL Erection of electricity substation, approved 15th March 2012.
7. 12/2260/VARY Application to vary condition 2 (approved plans) of planning approval 11/2679/VARY (relating to plots 22-31, 35-39, 43-50, 197-200, 208-210, 221-222, 363-365 and 421-427), withdrawn 13th November 2012.
8. 12/2864/VARY Application under Section 73 to vary condition no. 2 (approved plans) relating to plots 22-23, 26, 28-31, 34-39, 43-50, 197-200, 207-211 and 221-222 as agreed by planning application 11/2679/VARY, approved 14th March 2013.
9. 13/0948/VARY Application under Section 73 to vary condition no. 2 (approved plans) relating to plots 359 - 365 and 421 - 427 as agreed by planning application 11/2679/VARY, withdrawn 22nd July 2013.
10. 13/2583/VARY; Application under Section 73 to vary condition no. 2 (approved plans) relating to plots 350-365 of planning approval 12/2864/VARY - Application under Section 73 to vary condition no. 2 (approved plans) relating to plots 22-23, 26, 28-31, 34-39, 43-50, 197-200, 207-211 and 221-222 as agreed by planning application 11/2679/VARY, approved 23.12.2013.

11. 14/2146/VARY Application under Section 73 to vary condition no.2 (approved plans) relating to plots 366-379 as approved by planning application 11/2679/VARY, approved 24th October 2014.

SITE AND SURROUNDINGS

12. The application site relates to the former British Visqueen Limited site located off Yarm Road, Stockton-on-Tees. The overall development site comprises approximately 16.21 hectares and is located north of the intersection of Yarm Road and the A66. The site is contained by rail and road routes on three sides. The surrounding area to the west and south is industrial and commercial and to the north residential.
13. The principal frontage of the site is on the western boundary along Yarm Road from where the site is entered. A large section of these dwellings (and apartment buildings) have been erected and are now occupied. An informal strip of ornamental tree planting and grassland around 15 metres wide separates the existing development from Yarm Road.
14. Land facing the site on the opposite side of Yarm Road is presently occupied by industrial and commercial buildings. The south side of the site is bounded by an access road serving offices on the south side. The southern boundary/section of the development site has been completed. The long south eastern boundary runs alongside the A66 dual carriageway. The northern part of the site is separated from the road by earth mounding and planted with trees.

PROPOSAL

15. This application seeks planning permission for a substitution of house types at the former Visqueen site, which is currently under construction. The original approval granted permission for 474 dwellings.
16. This application seeks to replace 45 of the previously approved dwellings (plots 248-262, 343-349, 376-383 and 400-403, 407-417) with 50 dwelling, providing a net gain of 5 dwellings. Although plots 404, 405 and 406 fall within the site boundary, there are no changes to these previously approved plots/house types.
17. Following a number of concerns raised regarding the design and scale of the proposed three storey apartment buildings, and concerns raised by the Built and Natural Environment Manager in respect of inadequate off-street/in curtilage car parking, the applicant has submitted revised plans detailing the reduction in height and scale of the proposed apartment buildings to 2 storey apartment buildings whilst providing revised car parking layout plans in order to demonstrate the requisite car parking levels.
18. The general layout of the properties and roads are of a similar layout to the original approved layout and subsequent variations to the original approval.
19. The main changes include the replacement of 4, 3-storey dwellings (Harris 2 Special house type) with 4, 2-storey apartment buildings to facilitate 8, 2-bed apartments (2 apartments in each of the 4 buildings). The proposed apartment buildings (max height, approx. 7.7m) would front onto the roundabout along Sculptor Crescent/Lynx Way/Carina Crescent with two storey dwellings located opposite at 12, 14, 15 and 17 Sculptor Crescent (also known as plots 468, 467, 8 and 9 respectively) that have been built (max. height approx. 9m).
20. The proposed apartment buildings would feature a recessed central feature (serving the entrance and staircases) and would also feature a chamfered frontage (as per the original

approved Harris 2 Special house type on these plots, and those properties that have been built opposite). The proposed apartment buildings would feature windows in the ground and first floor front and rear elevations, and would be served by allocated car parking provision with amenity areas to the rear of the buildings.

21. The other changes relate to a reduction in the number of 4 bed dwellings and an increase in the number of 2 and 3 bed dwellings (the scheme does still include 8 x 4-bed dwellings and 1x 5-bed dwelling). The proposed house types all form part of previous approvals within the estate.

CONSULTATIONS

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

Built and Natural Environment Manager

Highways Comments

The proposed revisions detailing the substitute houses types are shown on drawing 14-1793/P00 Rev E.

Car parking must be provided in accordance with Supplementary Planning Document 3 (SPD3): Parking Provision for New Developments. Accordingly, the residential parking standards are:

- o Four bedroom dwellings - three parking spaces per dwelling;
- o Three and two bedroom dwellings - two parking spaces per dwelling; and
- o Apartments - 1.5 spaces per dwelling.

In accordance with SPD3, in curtilage parking should be 6m in length and a garage will only be counted as a parking space if it meets the minimum internal dimensions of 6m x 3m (and 6m x 5.5m for a double garage).

The proposed changes, as shown on drawing 14-1793/P00 Rev E, are in accordance with the required parking standards as set out in SDP3.

There are no highways objections to the proposed house type substitutions.

Landscape & Visual Comments

There are no landscape and visual objections to the proposed house type substitutions as the estate landscaping appears to be largely retained notably the street trees.

Environmental Health Unit

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

Unexpected land contamination

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

Construction/Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/Demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend that the working hours of all Construction/Demolition operations including delivery/removal of materials on/off site shall be restricted to 08:00 – 18:00Hrs on weekdays, 09.00 – 13:00Hrs on a Saturday and no Sunday or Bank Holiday working. Should works need to be undertaken outside of these hours the developer should apply for consent under Section 61 Control of Pollution Act 1974. This would involve limiting operations on site that cause noise nuisance.

Councillors

No comments received

The Environment Agency

Surface Water Disposal

The surface water strategy is to discharge via NWL sewer. This being the case, we would request that NWL are satisfied that any additional surface water generated as a result of the additional dwellings, has been considered within the Flood Risk Assessment (FRA).

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. .

Northumbrian Water Limited

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

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

Network Rail

In relation to the above application I can confirm that Network Rail has no observations to make.

Natural England

Natural England has no comments to make regarding this application

Tees Archaeology

The revision appears to have no impact on the adjacent route of the Stockton & Darlington Railway. I am not aware of any other archaeological concerns at the site and have no objection or further comment to make.

Sport England

Sport England does not wish to comment on this particular application.

Waste Management

No comments received

Northern Gas Networks

No comments received

Northern Powergrid

No comments received

Tees Valley Wildlife Trust

No comments received

PUBLICITY

23. Neighbours were notified and 7 objections have been received as set out below:-

Mrs Allison Davies (3 objections received)

17 Sculptor Crescent Stockton-on-Tees

With further notice to the new proposals you sent out for apartments to be built instead of good quality housing we strongly object I have looked at the plans and notice the outlines on the Harris 2 specials which were to be built round the roundabout to match the other side of the roundabout to be replaced with apartments that are totally out of character with the other apartments on the estate which blend in really well with the design of the houses that are already built. It would also cause complete gridlock along Lynx Way and Carina Crescent as this is the main through road for the estate which already has parking issues. Also apartments would take away a lot of residents' privacy overlooking their houses and gardens.

I totally object to these proposals for another 9 houses. The parking or lack it at the moment is really bad when visitors come to see relatives also most houses have two cars that is another 18 cars on such a small estate when cars are parked round the roundabout there is hardly any room to get through it is too narrow the road they haven't made any provisions for parking and this is before they have built the other side of the roundabout, it will be total gridlock.

I am writing this email to object against the two storey apartments proposed opposite the roundabout they would look totally out of character with the three storey houses on the other side when we came to this estate three years ago we were told the Harris 2 specials round the roundabout were to give the estate a nice outlook as you drove in with a tree lined boulevard it was modern living with new design houses which look really nice the apartments what are already built compliment the rest of the housing already established these apartments would not as they would be in the wrong place all you would see when you entered the estate is to let and for sale signs like you do on other estates were they have built apartments which would spoil the outlook as you entered also the parking is still an issue no room for visitors and you need more room for residents cars .At the moment visitors cannot park there car on the front as the road is too narrow and all Bellway staff use the parking for visitors and all along Lynx Way it is not their fault there is nowhere else for them to park on Innovation Avenue they have put parking bays in for visitors outside each house and that's what Bellway should be putting in instead of trying to squeeze more housing in especially as Lynx Way is the main through road I am all for building more three bedrooms rather than four as long as they put the correct parking bays in and we don't have any more roads with no footpaths like Corona Court.

Darren Davies (3 objections received)

6 Lynx Way Stockton-on-Tees

I totally object to apartments being built opposite roundabout and extra housing on estate. Bellway want to look at the road infrastructure on Lynx Way the roundabout is too big for the road there is only room for one car to pass it should be two lanes wide. They need to widen the road on Lynx Way and Carina Crescent at the moment there is all work cars

parked along Lynx Way this gives an insight into what is to come when houses are built and people have to park on the road because the road is too narrow and they haven't put in proper parking for residents and visitors, also there is a three storey house to be built where the garden protrudes in to the road with no footpath where they have made a circle in the road near the entrance to Corona Court again no footpath will be provided and if people park along there it will be dangerous coming out of Corona Court. Instead of building more houses they need to widen the road and put footpaths and parking bays in. Its parking we need not extra housing.

Too many cars on sides of road because there is nowhere for them to park, it will just add to the problem, need more parking bays not houses.

I totally object to apartments being built opposite roundabout and extra housing on estate. Bellway want to look at the road infrastructure on Lynx Way the roundabout is too big for the road there is only room for one car to pass it should be two lanes wide. They need to widen the road on Lynx Way and Carina Crescent at the moment there is all work cars parked along Lynx Way this gives an insight into what is to come when houses are built and people have to park on the road because the road is too narrow and they haven't put in proper parking for residents and visitors, also there is a three storey house to be built where the garden protrudes in to the road with no footpath where they have made a circle in the road near the entrance to Corona Court again no footpath will be provided and if people park along there it will be dangerous coming out of corona court. Instead of building more houses they need to widen the road and put footpaths and parking bays in. Its parking we need not extra housing.

Amir Michael

15 Sculptor Crescent Stockton-on-Tees

1. Parking problems
2. Having apartments in the development will be inconsistent
3. Lack of green areas and footpaths
4. The development will be overcrowded
5. Only two road access to the development will make getting into it or out of it a nightmare.

Mr David Eve

4 Corona Court Stockton-on-Tees

On reviewing the planning application I feel the need to object.

On purchasing our property we was advised by Bellway that the development would number around the five hundred properties and that an open space/park area would be provided as part of the development. I feel and net gain to the number of properties would have an impact on the space available for residents of the site.

As already mentioned in other objections, the main roundabout is already used as a football pitch by children living on the site. Numerous cars are parked along sculptor crescent and Lynx way reducing the width of the road to single direction.

For a time Bellway were directing site traffic to use the roundabout in the wrong direction to allow them to gain access rather than continuing to use Innovation Court, this practice has now come to a stop. However heavy site traffic is still using the smaller site roads rather than the more suitable Innovation Court.

The site only has two access and egress points via Sculptor Crescent and Lynx Way. Sculptor Crescent is often obstructed by cars parked either on or near the roundabout. This has presently has an impact on traffic flow and will only continue to get worse as the site grows. Lynx Way is only wide enough for one car travelling in our out at the entrance and is

only just wide enough for two cars to pass further along. This is without any cars being parked at the roadside. This will happen in a matter of time once the houses become occupied.

Turning onto Sculptor Crescent the changes to the plans will alter the aesthetics of the site. The two existing blocks of apartments balance the look of the site. The addition of these new blocks will alter the look and look out of place on the development.

I believe before any further development of the site takes place the road infrastructure needs to be looked at and additional ways of access the site needs to be looked at. Further changes to the site need to take into account any future development of the adjacent NIFCO site

Mr Paul Cameron

1 Carina Crescent Stockton-on-Tees

I agree with the other objectors that unless provisions for more car parking spaces are made then this proposal will cause gridlock to the existing roundabout in front of the properties.

My house and others nearby can currently only accommodate one visitor spot and anything more than that becomes a problem and the street becomes cluttered.

I bought a new property as opposed to an old one with the expectation that the development would be built around modern living and as such accommodate for the high increase in people owning cars.

To sum up the last thing I would like to see when I look out of my window is a roundabout stacked with parked cars for both aesthetic and safety reasons.

Mr John Henderson

10 Corona Court Stockton-on-Tees

The revised plans still have not taken into consideration the parking issues that will be caused. The width of the roads is also an issue. There are properties which encroach into the roads further causing traffic issues, it will only be a matter of time before there is an accident involving a vehicle and a property.

Car Parking Issues - Due to the increase of the proposed number of properties this would potentially create an increase of parked vehicles on the road sides as the vast number of properties already built and occupied have insufficient off road parking to accommodate the number of vehicles per property and as a result vehicles are currently inappropriately parked around the main roundabout and estate roads.

As per the Design and Access statement issued by Bellway 'Rear parking courts removed from scheme in favour of front/ side parking provisions'. This will cause more parking issues on Lynx Way.

I quote the parking standards 'accommodate parking provision of 92 - an improvement over the previous scheme of 87 spaces' however this is only 5 more spaces for a proposed 9 more properties. If each household only has 1 car then this is 4 spaces short and more realistically each property is likely to have more than 1 vehicle.

Means of Access and Traffic and Highways - I feel that the roads are too narrow for 2 way access. Looking at the new plan it appears that Lynx Way will become narrower than it is at the moment. This coupled with the potential extra cars parked on the road side will create access and safety issues. I have noticed that with more road side parking there will be a

lack of suitable footpaths. Evidence of this as an example is that from 2 - 6 Corona Court there is no suitable footpath on either side of the road, on one of the properties opposite no 2 Corona Court the car parked on the driveway encroaches into the public road.

Over Development of the Site - I feel that by putting more houses on the site that it will become overdeveloped. There will be a lack of green areas. When we were sold the property we were informed that there would be many green areas around the site and from looking at the plans submitted I cannot see any potential green areas. There are small children now playing on the roundabout and it is only a matter of time before a serious accident occurs.

**Miss N Miller and Mr R Dawson
2 Lynx Way Stockton-on-Tees**

I am writing to object to the above application plans for the former Visqueen site in Stockton. The main reason I am objecting to the plans is that with Bellway now wanting to build flats opposite our property we are highly concerned about cars parking right outside our property. We are aware that there is allocated parking for the flats but visitors will park at the front of the flats and this will be dangerous when reversing off our driveway as it will restrict our view, it will also restrict vision for our children when they are passing.

We are also concerned due to the fact that we were expecting family homes to be build and if flats are built it will attract young individuals who may bring Anti-Social Behaviour to the area. Please put our comments forward.

PLANNING POLICY

24. 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

25. 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

26. 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.

Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.
2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.
3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.
4. The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.
5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.
6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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

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

- i) The Tees Valley Metro;
- ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
- iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
- iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.

5. Improvements to the road network will be required, as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

- _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

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

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

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

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

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

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 500 - 700

Stockton 300 - 400

Billingham 50 - 100

Yarm, Eaglescliffe and Preston 50 - 100

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

Housing Sub Area Approximate number of dwellings (net)

Core Area 450 - 550

Stockton 100 - 200

5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.
6. Proposals for small sites will be assessed against the Plans spatial strategy.
7. There will be no site allocations in the rural parts of the Borough

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

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).
2. A more balanced mix of housing types will be required. In particular:
 - _ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
 - _ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
 - _ In the Core Area, the focus will be on town houses and other high density properties.
3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.
4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.
5. Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Affordable housing provision at a rate lower than the standard target will only be acceptable where robust justification is provided. This must demonstrate that provision at the standard target would make the development economically unviable.
6. Off-site provision or financial contributions instead of on-site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better served by making provision elsewhere.
7. The mix of affordable housing to be provided will be 20% intermediate and 80% social rented tenures with a high priority accorded to the delivery of two and three bedroom houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the standard target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.
8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.

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

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

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

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

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

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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

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

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

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

ii) Green wedges within the conurbation, including:

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

_ Leven Valley between Yarm and Ingleby Barwick;

_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;

_ Stainsby Beck Valley, Thornaby;

_ Billingham Beck Valley;

_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

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

Saved Policy HO3 of the adopted Stockton on Tees Local Plan

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

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

Supplementary Planning Guidance 4 (High Density Development: Flats and Apartments).

Supplementary Planning Document 3: Parking Provision for Developments

MATERIAL PLANNING CONSIDERATIONS

27. The main considerations of this application are the principle of the development, whether it satisfies the requirements of National and Local Plan Policies, the impact of the proposed development on the locality in terms of character and appearance, residential amenity, highway and pedestrian safety, and any other material considerations.
28. As set out in full above, 7 objections have been received. These can be summarised as follows;
- Loss of housing and replacement with apartments
 - Apartments out of character with overall estate
 - Cramped form of development
 - Proposals would result in further car parking problems that are currently experienced by residents
 - Loss of pedestrian safety owing to the lack of footpaths at present
 - Apartments would result in overlooking/loss of privacy to windows and garden areas
 - Lack of green areas
 - There is a conflict at present with site/construction traffic/vehicles
 - Any changes should account for any future development of the adjacent NIFCO site
 - Concerns are raised regarding future occupants of the proposed apartments which could lead to an increase in anti-social behaviour in the area.

Principle of development

29. The site has an existing planning permission for housing (474 dwellings) and a number of subsequent variations to this approval. The proposed scheme seeks to increase the number of approved units by 5. In view of this modest addition (particularly in the context of the original approval), it is considered that the scheme does not materially change the circumstances relating to the original planning approval and there are no new wider fundamental policy implications arising from the details of the substitution of house types (and additional 5 units).
30. National Planning Policy guidance seeks to encourage the efficient re-use of previously developed land within existing urban areas in addition to reducing the need to travel and reinforcing the local economy and community. The NPPF places particular emphasis on sustainable economic, social and environmental objectives. These objectives are encouraged through regeneration initiatives making more efficient use of land and creating usable, durable and adaptable places.
31. The proposal involves the re-use of existing brownfield land for housing to provide a mix of dwellings and apartments (with the overall approval including affordable housing). The proposed house substitution (and additional 5 units) fully accords with national policy which encourages the reuse of previously developed land.
32. Core Strategy Policy 7 (CS7), Housing Distribution and Phasing, states that the distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with "*seeking to achieve the target of 75% of dwelling completions on previously developed land*". Although the current application does not significantly affect the original approved dwelling numbers, it is considered that the scheme would contribute to the Council achieving/maintaining this target.
33. Policy CS8 (5) states "*affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more*". The original application was subject to a Section 106 agreement requiring 10% of the dwellings to be affordable. The economic viability of the site for redevelopment

purposes was closely examined as part of the original submission. The current application includes plots allocated as affordable housing units, to which the final scheme for affordable housing (specific plots) is currently being considered between relevant parties.

34. The site is located within the development limits. Saved Policy HO3 of the local plan indicates that residential development within the limits of development is acceptable provided it meets a number of criteria. The site is also within the Core Area, as defined by the Core Strategy, where priority is given to previously developed land to meet the Borough's housing requirement.
35. In terms of the provision of apartments, the principle of flatted development/apartments has long been established as part of the original approval for the estate. The principle of the proposed apartments is therefore considered to be acceptable and is considered to accord with the general principles of SPG4 (High Density Development: Flats and Apartments).
36. In view of the above, the principle of development is considered to be acceptable subject to the scheme satisfying the following key planning considerations; impact on the character and appearance of the planned development and surrounding areas, the impact on adjacent properties and the wider area, impact on existing landscape features and highway related matters. These and other matters are considered as follows;

Character and appearance

37. Objections have been received in respect of the proposed apartment buildings being out of keeping with the surrounding area and the original approved layout, and resulting in a cramped form of development.
38. The proposed two storey apartment buildings would be located within a prominent position within the estate, opposite a feature roundabout. The proposed apartment buildings would replace the Harris 2 Special house type, which was a 3 storey dwelling, the third storey relating to dormer windows in the roof (a copy of this house type is within the Appendices for Members reference). This house type featured a chamfered design frontage and has already been built opposite the proposed apartment blocks. The Harris 2 Special features a roof height of approximately 9m, which is notably higher than the 7.7m (approx.) roof height of the proposed apartment buildings.
39. The proposed apartment blocks would not feature dormer windows or roof lights in the front elevation (a single roof light would be present in the rear elevation, serving a stairway (as opposed to rooms in the attic). The proposed apartment buildings also feature a chamfered design across the front elevation with a recessed, central feature to break up the massing. On balance, the design, scale and siting of the proposed buildings is considered to respect the proportions of the plots, the original approved layout, and the wider estate as a whole.
40. Overall it is considered that the proposed house substitutions are in keeping with the principles to which the original planning approval was based, and that such proposals will not result in an adverse loss of character and appearance for the site or the visual amenity for surrounding areas or result in a cramped form of development.
41. In respect of the requirement for the scheme to be implemented in accordance with Code Level 4 as per criterion 2 of Core Strategy Policy CS3, in view of the site benefitting from a number of extant planning approvals that pre-date the requirement for Level 4, it is not considered appropriate to condition this requirement in this instance.

Landscaping

42. The Council's Landscape Officer has raised no objections to the proposed scheme, commenting that the estate landscaping proposals appear to be largely retained, notably the provision of street trees.
43. Objections have made reference to the lack of green space within the site. The original approval for the estate includes an area for Public Open Space that is to be positioned to the north of the dwellings that the current application relates to. This has yet to be formally laid out (owing to the phasing of the development) but a scheme has been formally agreed, readied for implementation.
44. Details of hard and soft landscaping, means of enclosure and street furniture can be secured by way of separate planning conditions.

Amenity

45. The proposed house substitutions, including the proposed apartment buildings, would maintain and achieve previously approved separation distances and also achieve satisfactory private amenity levels for both future occupiers of the proposed dwelling units and also those of existing, occupied properties. As set out above, the proposed apartment buildings would feature a reduced overall height to the previously approved house type that was to be situated on the same plots and would also maintain similar, satisfactory separation distances to surrounding properties.
46. It is therefore considered that the proposed house substitutions and apartment buildings would not significantly worsen or result in an adverse loss of amenity or privacy between the proposed dwellings/apartment buildings and existing and future occupiers of occupied dwellings within the site or future occupiers of the proposed dwellings.
47. In view of the substituted house types remaining within the defined curtilage of the site and satisfactory separation distances and boundaries remaining to adjacent land users, it is considered that the proposed scheme will not result in an adverse loss of amenity and privacy for surrounding neighbouring land users.

Highway safety and car parking

48. A number of objectors have raised concerns regarding the increase in the overall dwellings and addition of apartments, commenting that the proposals will result in an increase in on street car parking, exacerbating existing car parking problems.
49. Following the submission of revised plans, the Built and Natural Environment Manager has commented that the replacement house types and proposed apartment buildings would achieve the requisite in curtilage car parking spaces to design guide standard and therefore raises no objections to the scheme on highway and pedestrian safety grounds.
50. With respect to the comments regarding the lack of footpaths within the estate and implications for pedestrian safety footpaths, and the current conflicts with site traffic, the site is still under construction with a considerable level of properties yet to be built including footpaths and roads. The submitted plans indicate that the proposed scheme will make provision for footpaths adjacent to the plots affected by this application.
51. In view of the above considerations, it is considered that the proposed changes provide satisfactory car parking levels and will not result in an adverse loss of highway and pedestrian safety or increase in on street car parking.

Planning Contributions

52. As part of the original consent, the applicant entered into a Section 106 Agreement to provide a financial contribution for additional school places, affordable housing, sports provision and fixed play equipment, local labour agreement and highway mitigation works. Having reviewed the requirements/triggers of the original s106 Agreement, it is considered that the approval of the current application would not affect the requirements of the s106 Agreement, a view supported by the Council's Principal Solicitor. A further s106 Agreement is therefore not required in this instance.

Ecology and other matters

53. Core Strategy Policy CS10 is concerned with Environmental Protection. A number of conditions were attached to the original consent covering amongst others flooding, ecology, drainage and contaminated land.
54. No objections have been received from any consults that would change the previous decision and to which the conditions remain in place. Notwithstanding this, a condition relating to foul and surface water drainage is appended, as recommended by the Environment Agency.

Residual matters

55. Issues such as fear of crime and a scheme increasing anti-social behaviour/youth congregation in an area are based on assumptions and not supported by evidence as to the characteristics of the future occupiers or users of facilities and should therefore not be taken into account in the determination of this proposal.
56. Section 17 of the Crime and Disorder Act 1998 places a duty on the authority to consider the crime and disorder implications of the proposal. An objection has been received raising concerns regarding the future occupants of the proposed apartments and consequently the proposed scheme could lead to an increase in anti-social behaviour in the area. Whilst there is no evidence to link such issues to the proposed development, any potential problems arising from this behaviour can be dealt with by other methods such as the police service or community enforcement section and would not be a reason to warrant refusal of the application.
57. Reference is made in an objection to future proposals for the Nifco site along Yarm Road, however there are no planning approvals for residential development on this site and therefore this is not considered to be a material planning consideration in respect to the current application, which provides an additional 5 units.

CONCLUSION

58. It is recommended that the application be Approved with Conditions for the reason(s) specified above.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mr Daniel James Telephone No 01642 528551

WARD AND WARD COUNCILLORS

| | |
|------------------------|-------------------------------|
| Ward | Parkfield and Oxbridge |
| Ward Councillor | Councillor M Javed |
| Ward | Parkfield and Oxbridge |
| Ward Councillor | Councillor David Rose |

IMPLICATIONS

Financial Implications: As report.

Legal Implications: As report

Environmental Implications: As report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. The detailed considerations within this report take into account the impacts on neighbouring properties, visitors to the area, pedestrians and other relevant parties responsible for; or with interests in the immediate surrounding area. Consideration has been given to the level of impact and mitigating circumstances with conditions being recommended to reduce the impacts of the scheme where considered to do so.

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.