

DELEGATED

AGENDA NO

PLANNING COMMITTEE

8 APRIL 2015

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

14/2816/FUL

West Acres, Durham Lane, Eaglescliffe

Residential Development for the erection of 81no.dwellings including apartments, public open space, associated access arrangements and landscaping (demolition of existing dwelling house)

Expiry Date: 27 January 2015

SUMMARY

Planning permission is sought for residential development on a part greenfield, part brownfield site in Eaglescliffe. The site is within the Limits of Development as defined by the Local Plan and represents a sustainable location for new residential development in terms of local provisions and public transport.

The scheme has been amended since its submission to alter house types, layout, landscaping and other details with the intention of addressing usability, privacy and amenity issues that were initially raised as concerns by officers. The scheme now provides an access, parking and manoeuvring which is in accordance with guidance and which takes account of the proximity of the main access to the Level Crossing to the south of the site. There should be no undue impacts on the use of surrounding land whilst communal amenity space has been provided at different locations throughout the site. The proposal represents a reasonable mix of house sizes and types in a relatively modern style which is considered to be suitable for this location. A number of matters will be dealt with by conditions as recommended and are considered necessary to allow support to be given to the scheme. Matters of off-site highway contributions, education and open space contributions are required in line with policy in order to mitigate impact.

A number of objections have been raised which mainly relate to concerns of overdevelopment of the Eaglescliffe Area, lack of available services due to over subscription and impacts of traffic.

RECOMMENDATION

That planning application 14/2816/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 by the 10th June 2015 or otherwise be refused for lack of adequate provisions relative to the requirements of the Heads of Terms;

01 *Approved Plans*

The development hereby approved shall be in accordance with the following approved plans;

<i>Plan Reference Number</i>	<i>Date on Plan</i>
C00 Rev A	28 th October 2015
C02 Rev W	6 th March 2015
C03 Rev B	23 rd January 2015
C04 Rev B	23 rd January 2015
C05 Rev D	23 rd January 2015
C06 Rev E	23 rd January 2015
C07 Rev C	4 th March 2015
C08 Rev F	1 st March 2015
C09 Rev D	23 rd January 2015
C10 Rev E	23 rd January 2015
C11 Rev C	6 th March 2015
C12 Rev F	6 th March 2015
C14 Rev M	6 th March 2015
C16 Rev A	23 rd January 2015
1402203 Rev G	16 th March 2015
1402204 Rev E	16 th March 2015
1402205 Rev E	16 th March 2015

Reason: To define the consent.

02. Surface and Foul Water schemes

Unless an alternative scheme of surface water and foul water drainage is submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, the development hereby approved shall be undertaken in accordance with the submitted Flood Risk Assessment by Egorum dated July 2014, including section 6.2 in relation to mitigation.

No property hereby approved shall be occupied until a scheme of long term maintenance for the foul and surface water drainage schemes has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to adequately provide for the development without increasing risk of flooding, in accordance with Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

03 Contaminated Land Assessment

Notwithstanding details hereby approved, no development shall commence on site until the following have occurred:

- A. *A qualified environmental consultant shall carry out an environmental assessment of the site including results of analysis and exposure risk assessments carried out on soil shall be in accordance with Contaminated Land Reports (CLR) documentation published by DEFRA. Analysis and sampling of any Groundwater or Surface Waters shall be in accordance with EC Groundwater Directive (80/68/EEC). If the proposed development is situated within 250m of a landfill site the report shall include an assessment to determine the effects of any landfill gas on the proposed development. The investigation of soil-gas and landfill-gas shall be carried out in accordance with Waste Management Paper (WMP) 27 and the EC Landfill Directive (199/31/EC) using a qualified and experienced environmental consultant. Any development on land affected by contamination shall be carried out in accordance with*

guidance R & D publication 66 published by the National House Building Council (NHBC) and the EA.

The study shall reflect local conditions regarding potential chromium contamination by including analysis for both total and hexavalent forms for soil and groundwater / leachate. A local authority search has indicated an unknown fill area around Grid Reference 441253, 514590 which, coupled with the HY narrative regarding raised levels and old foundations in the western area generally, suggests that this area needs focused assessment in this respect.

The investigation report and environmental risk assessment shall be submitted to and approved in writing by the Local Planning Authority before any development commences.

- B. If the outcome of A) above indicates that the site may have a contaminative use or is likely to be contaminated [as defined in section 57 of the Environmental Protection Act 1990 with respect to the proposed use], a site investigation including a risk assessment report shall be submitted to and approved in writing by the Local Planning Authority. The report should include results of analysis and exposure risk assessments carried out on soil and shall be in accordance with Contaminated Land Reports (CLR) 7,8,9,10 published by DEFRA (14th March 2002). Analysis and sampling of any Groundwater or Surface Waters shall be in accordance with EC Groundwater Directive (80/68/EEC).
- C. Prior to any works commencing on site full details of the proposals for the removal, containment or treatment of any contamination [the 'remediation statement '] shall be submitted to and approved in writing by the Local Planning Authority.
- D. If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the Local Planning Authority.
- E. On completion of the remediation scheme a validation report shall be submitted to and approved by the Local Planning Authority prior to works associated with the residential development being commencing on site.
- F. All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.

Reason: In order to address the potential for contamination at the site, in-accordance with the requirements of Core Strategy Development Plan CS10.

04. Ecological Mitigation

The development shall not be commenced on site until the ecological mitigation as detailed in section 8.2 of the Extended Phase 1 Habitat Survey for the West Acres site as submitted on the 6th February 2015 has been undertaken.

Reason: In order to prevent detrimental impacts on ecology in the area in accordance with the requirements of the National Planning Policy Framework.

05. Noise disturbance from adjacent rail and road traffic

Prior to the commencement of the development, a noise survey shall have been submitted to and approved, in writing, by the Local Planning Authority. The survey shall be undertaken by a competent person with daytime measurements taken between 0700-2300 hours and night-time measurements between 23:00-07:00 hours. The survey should identify appropriate noise mitigation measures. All residential units shall thereafter be

assigned so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233.

- Dwellings indoors in daytime: 35 dB LAeq, 16 hours
- Outdoor living area in day time: 55 dB LAeq, 16 hours
- Inside bedrooms at night-time: 30 dB LAeq, 8 hours (45 dB LAmax)
- Outside bedrooms at night-time: 45 dB LAeq, 8 hours (60 dB LAmax)

Such detail and appropriate consequential noise mitigation measures as shall have been agreed, in writing, by the Local Planning Authority shall be implemented prior to occupation of the building on the site and shall be maintained as agreed thereafter.

Reason:

To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise where there is insufficient information within the submitted application.

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. Renewables or Fabric First

No development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

Reason: In the interests of promoting sustainable development.

08. Boundary Treatments

Notwithstanding details hereby approved, prior to any above ground works being commenced on site, all boundary treatments shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of appropriate boundary treatment taking into account the site being adjacent to railway property, any need to mitigate against noise and in relation to secure by design principles and timing for erection of boundaries. The development shall be undertaken in accordance with the approved scheme.

Reason: In order to ensure a quality environment which adequately provides for future occupiers and which adequately mitigates against known circumstances, in accordance with the requirements of Core Strategy Development Plan Policy CS3.

09 Hard and Soft Landscaping within residential curtilages

Hard and soft landscaping within residential curtilages shall be implemented on site in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations and inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All existing or proposed utility services that may influence proposed tree planting should be indicated on the planting plan. The scheme shall detail methods for maintaining and where necessary replacing landscaping and boundary treatments until transfer of ownership. No property hereby approved shall be occupied until the hard and soft landscaping for that plot has been completed in accordance with the approved scheme. The scheme of landscaping shall take into account the sites position adjacent to railway property.

Reason: To ensure a high quality treatment is achieved at an appropriate time during the construction phase of the development in the interests of visual amenity in accordance with Stockton on Tees Core Strategy Policy CS3 (Sustainable living and climate change).

10. Hard and Soft Landscaping outwith residential curtilages

Hard and soft landscaping for land out-with residential curtilages shall be implemented on site in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations and inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All existing or proposed utility services that may influence proposed tree planting should be indicated on the planting plan. The scheme shall detail long term maintenance of the landscaping (in perpetuity), shall take into account the sites position adjacent to railway property and shall detail timing of works to be undertaken. No more than 50 dwellings shall be occupied within the site prior to the scheme having been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a high quality treatment is achieved at an appropriate time during the construction phase of the development in the interests of visual amenity in accordance with Stockton on Tees Core Strategy Policies CS3 (Sustainable living and climate change).

11. Materials – prior to above ground construction

Notwithstanding any description of the materials in the application, no above ground construction of the buildings shall be commenced until precise details of the materials to be used in the construction of the external walls and roof of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

12. Construction Management Plan

A Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the development hereby approved (or each phase of development) being commenced on site. The plan shall detail the routing of all HGV's

movements associated with the construction phases of the development including initial earth moving works. The management plan shall also detail;

- parking area for construction workers during construction;
- measures to protect any existing footpaths and verges;
- vehicle movements,
- wheel cleansing,
- sheeting of vehicles,
- offsite dust/odour monitoring.

Reason: In the interests of highway safety and general amenity

13. Street Furniture

Notwithstanding the details hereby approved, prior to the commencement of development, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such street furniture as agreed shall be erected on site in an agreed phasing before the associated development phases are occupied.

Reason: In the interests of the visual amenities of the locality in accordance with the guidance of Core Strategy Development Plan Policy CS3(8).

14. Open burning

During the construction phase of the development there shall be no open burning of waste on the site.

Reason: To protect the amenity of the occupants of nearby properties in accordance with the requirements of the National Planning Policy Framework.

15. Construction / Demolition and delivery hours

No construction/building works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties and to accord with saved Policy HO3 of the Stockton on Tees Local Plan.

16. Removal of PD Rights – Fences within frontages

Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front and / or side elevation and a highway or footpath adjacent to the properties boundary without the written approval of the Local Planning Authority.

Reason: To retain open frontages to properties and provide a high quality street scene and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

17. Removal of PD Rights. Householder excluding porches

Notwithstanding the provisions of classes A, B, C, D, E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (amendment)(No.2) (England) Order 2008 (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 erected within the curtilage without the written approval of the Local Planning Authority.

Reason: To prevent significant undue detrimental loss of privacy and amenity for future occupants taking into account the dense nature of the development as proposed, and to comply with saved Policy HO3 of the Stockton on Tees Local Plan.

INFORMATIVES

Informative 1: National Planning Policy Framework

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

Informative 2: Existing apparatus on site

The council have been made aware that Northumbrian Water and Northern Gas Networks have apparatus running through and near to the site and the developer is therefore encouraged to contact them to locate these services prior to any development works commencing on site.

Informative 3: Secure by Design

The principles and specifications provided by the Police Architectural Liaison Officer should be provided throughout the scheme where reasonably possible, subject to them being 'approved' details of the permission where planning permission would be required for them.

Informative 4: Development in close proximity to Operational Railway

Network Rail have indicated that the developer should submit method statements / discuss the development with their Asset Protection Team in relation to the parts of the development that are in close proximity to the boundary with the railway and in relation to the operation of Cranes and other plant and that this should be done well in advance of commencement of works.

Informative 5: 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

Education Contribution to provide primary/secondary school places subject to a discount at payment trigger point based on available places in the following schools;

Primary: Durham Lane and St Cuthbert's RC

Secondary: Egglecliffe School

Agreement to be subject to index linking in accordance with the Tender Index published by the Building Cost Information Service.

Highways Contribution of £92,717 broken down as follows;

- £63,100 - Widening of approaches to improve A66/Elton interchange dumbbell interchange (payable on occupation of the 50th dwelling).
- £21,117 - Widening of approach to A67/Durham Lane/Tesco roundabout. (Payable on occupation of the 50th Dwelling).
- £8,500 - Provision of a £100 travel plan incentive per dwelling (to be provided at the time of each property being occupied).

Open Space Contribution including for open space, recreation and landscaping.

A contribution of £81,967 to be spent on the development of a Multi-Use Games Area at Land to the south of Cromer Court, Eaglescliffe. Payable on occupation of the 50th dwelling.

A contribution of £60,956 to be used towards built sports facilities in the locality and to be spent in association with community accessible sports provisions at Eaglescliffe School.

BACKGROUND

02/0012/P

Outline application for the demolition of 2 dwelling houses and the erection of 3 dwellings and associated means of access.

Refused 5th February 2002

02/0458/P

Outline application for the demolition of 2 dwellings and erection of 3 dwellings and associated means of access.

Refused 29th April 2002

02/1448/P

Outline application for the demolition of 2 dwellings and erection of 3 dwellings and associated means of access.

Refused 30th August 2002

04/3309/FUL

Application for the erection of 75 No. dwellings (inc 24 No. apartments) and associated landscaping, open space, access roads and recycling area. Demolition of existing 2 No. dwellings and associated buildings.

Refused 4th January 2005

05/1120/REV

Outline application for residential development (revised application)

Refused 8th August 2005

07/0016/FUL

Erection of 1 no. dwelling with attached triple garage (demolition of existing dwelling)

Refused 28th February 2007

07/1169/FUL

Erection of 1 no. 5 bedroom dwelling house incorporating a one bedroom granny flat and a two bedroom guest house above the 3 no. bay garage and new means of access. (Demolition of 2 no. existing dwelling houses)

Approved 28th June 2007. Constructed.

SITE AND SURROUNDINGS

1. The application site is located on the western side of Eaglescliffe, off Durham Lane and immediately to the north of Allens West Railway Station and the associated crossing. Housing lies to the south of the railway line as well as on the opposing side of Durham Lane to the application site. Commercial storage and similar uses exist to the north and west of the site on land known as Allens West where permission was granted for 800+ houses and remains to be extant.

2. The site is made up of an agricultural field, within which, there is a single large detached house and its associated curtilage which includes a long driveway off Durham Lane.

PROPOSAL

3. Planning permission is sought for a residential development of 81 dwellings, including affordable housing, open market housing across 2 and 3 storey houses and apartments. Access is taken off Durham Lane into the proposed estate with an internal loop road and cul-de-sac's off. There is a way-leave through the site which would remain free of development and serves to provide two areas of open space.

CONSULTATIONS

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

4. SBC - Environmental Health Unit

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

Construction/Demolition/deliveries – control of hours
Restrictions of open burning during construction phase
Noise
Dust suppression

I am satisfied that the noise report addresses ways to achieve suitable internal noise levels via double glazed windows and acoustic ventilations. However, there is no proposal to protect residents to the outdoor noise levels. Given the existing ambient noise levels are in excess of 50dB(A), (See paragraph 7.3 and 7.9 of the report), there should be suitable measures i.e. acoustic fences to protected houses that are exposed to levels above 50dB(A). WHO recommends external noise levels not be greater than between 50-55dB(A), 50dB in area with lesser environmental noise, and 55dB for noisier environment.

Further to your memorandum regarding the above, a search of our Land Quality Information register has indicated that there are certain features on the site [or within 250metres of the site], which may have significance on any proposed development. I would therefore recommend that our standard contaminated land condition be placed on any planning permission granted, this will mean that before any remediation or development takes place, we will require the developer to assess the significance of these features, in accordance with Environment Agency (EA) and the Department for Environment, Food and Rural Affairs (DEFRA) guidelines on conceptual Risk Assessment.

A Phase 1 (Desk Top Study) has been carried out by HY Consulting, and the conclusions drawn - namely those within Section 7.5 (sic) recommending an intrusive site investigation be carried out - are required in line with standard procedures, as part of a Phase II Study and subject to the following broad requirements :

- A. A qualified environmental consultant should be used to carry out any environmental assessment of the site. The assessment of the site should include results of analysis and exposure risk assessments carried out on soil and shall be in accordance with Contaminated Land Reports (CLR) documentation published by DEFRA. Analysis and sampling of any Groundwater or Surface Waters shall

be in accordance with EC Groundwater Directive (80/68/EEC). If the proposed development is situated within 250m of a landfill site the report shall include an assessment to determine the effects of any landfill gas on the proposed development. The investigation of soil-gas and landfill-gas shall be carried out in accordance with Waste Management Paper (WMP) 27 and the EC Landfill Directive (199/31/EC) using a qualified and experienced environmental consultant. Any development on land affected by contamination shall be carried out in accordance with guidance R & D publication 66 published by the National House Building Council (NHBC) and the EA. The investigation report and environmental risk assessment shall be approved with the Local Planning Authority before any development commences.

- B. If the outcome of the above indicates that the site may have a contaminative use or is likely to be contaminated [as defined in section 57 of the Environmental Protection Act 1990 with respect to the proposed use], a site investigation including a risk assessment report shall be submitted to and approved by the LPA. The report should include results of analysis and exposure risk assessments carried out on soil and shall be in accordance with Contaminated Land Reports (CLR) 7,8,9,10 published by DEFRA (14th March 2002). Analysis and sampling of any Groundwater or Surface Waters shall be in accordance with EC Groundwater Directive (80/68/EEC).
- C. Full details of the proposals for the removal, containment or treatment of any contamination [the 'remediation statement '] shall be submitted to and approved by the LPA.
- D. If during any construction or reclamation works any contamination is identified that was not considered in the reclamation statement, the reclamation proposals for this material shall be agreed with the LPA.
- E. On completion of the remediation scheme a validation report shall be submitted to and approved by the LPA.
- F. All works referred to above shall be carried out by or under the direct supervision of a qualified environmental consultant using current guidance.

Furthermore, the Phase II Study referred to above should reflect local conditions regarding potential chromium contamination by including analysis for both total and hexavalent forms for soil and groundwater / leachate. A local authority search has indicated an unknown fill area around Grid Reference 441253, 514590 which, coupled with the HY narrative regarding raised levels and old foundations in the western area generally, suggests that this area needs focused assessment in this respect.

5. SBC – Sports Development Manager

As identified by the 2009 PPG17 Assessment the built sports facilities serving the Eaglescliffe community are housed primarily on two school sites, namely Egglecliffe Comprehensive and Teesside High School. Eaglescliffe does not have any formal community leisure centres.

In order to improve the quantity and quality of sports facilities for the Eaglescliffe community the preferred approach (to utilising available capital investment) would be to build on the established school/ community partnership that exists at Egglecliffe School and to extend and improve the facilities on that site. The school is home to a number of clubs and is at the heart of the local community.

Stockton Council has embarked upon the development of 'Sporting Needs and Opportunities Plan' which in light of the new housing projections for Eaglescliffe will no doubt add further weight to the case for the utilisation of developer contributions for building enhanced community sports facilities at Egglecliffe School.

6. SBC - Private Sector Housing

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

7. SBC - Spatial Plans Manager

As you will be aware section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission be determined in accordance with the Development Plan unless the material considerations indicate otherwise.

This response focuses on the key spatial and housing planning policy issues which relate to the application.

The Development Plan - overview

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 National Planning Policy Framework (NPPF)

The NPPF is a significant material consideration in the determination of planning applications. 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:

Proactively driving and supporting economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs,

Always seek to secure high quality design and a good standard of amenity,

Encourage the effective use of land that has been previously developed provided that it is not of high environmental value; and

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.

Relationship to the NPPF

The development would deliver homes. The case officer will be aware that the September 2014 Update Report on the five year housing supply shows that the supply is estimated at 4.94 years so there is still a shortfall against the five year requirement. The case officer will need to form a view on whether it would achieve a high quality design and a good standard of amenity. It is understood that part of the site is previously developed and that it is not of high environmental value. The location is one that can be made sustainable.

Relationship to the adopted Development Plan

The spatial strategy and planning for housing

Core Strategy Policy 1 (CS1) – The Spatial Strategy, states that 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 proposal is to develop a site which is part greenfield and part previously developed in Eaglescliffe. The site is not a regeneration site but it includes previously developed land and is within the conurbation in a location that can be made sustainable in respect of access to services. There is no significant conflict with the spatial strategy in respect of the distribution of housing.

Sustainable living and climate change

The proposal will need to be assessed in relation to Core Strategy Policy 3 (CS3) – Sustainable Living and Climate Change. The 1st bullet point of point 8 of Policy CS3 states that proposals will 'Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geo-diversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space'. The case officer will need to take a view as to whether the proposal is consistent with Policy CS3.8.

Housing Mix and Affordable Housing Provision

Core Strategy Policy CS8: Housing Mix and Affordable Housing provision states that 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. It is understood from the Planning Support Statement that the developer is proposing to provide 13 affordable housing units within the site. Based on a market scheme of 82 units, 13 affordable units equates to 18%.

Relationship to evidence base

The latest published Strategic Housing Land Availability Assessment states that the site is not suitable as satisfactory access cannot be achieved owing to the proximity of the unmanned crossing at Allens West station. However, it is noted that the Office for Rail Regulation has been consulted upon the application and have responded to state that they do not have an objection to the proposal.

Summarising comments

The proposal would deliver market and affordable homes in a location that can be made sustainable and there is no significant conflict with the spatial strategy for the distribution of housing in Core Strategy Policy CS1. The delivery of homes would assist in meeting housing need and demand and if implemented within a five year timeframe it would contribute to achieving a five year supply of deliverable housing sites. Notwithstanding the access issue highlighted in the SHLAA, the Spatial Planning team have not identified any adverse impacts but the case officer will need to be satisfied that the proposal achieves a high standard of design and amenity and is consistent with Policy CS3.8. The case officer will also need to be satisfied that the issue highlighted in the SHLAA regarding access has been satisfactorily addressed.

8. SBC – Built and Natural Environment Manager

Executive Summary

Subject to the following the Built and Natural Environment Manager would have no objection to the proposed development:

A highway mitigation package being agreed, to make this development acceptable in transport terms, as follows:

Section 106 Contributions

A contribution (£63,100) towards highway improvements at Elton Interchange;

A contribution (£21,117) towards highway improvements at the Urray Nook Road / Durham Road (Tesco's) roundabout;

Provision of a £100 travel plan incentive per dwelling.
An offsite contribution towards POS
Conditions as set out in Appendix 2

Detailed comments are included in Appendix 1.

Appendix 1 – Detailed Comments

Highways Comments

The proposed development is a full application for the construction of 82no.dwellings including apartments, public open space, associated access arrangements and landscaping (demolition of existing dwelling house). The development should be designed and constructed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3).

Access

The access into the proposed development is located at the northernmost point of the site's frontage onto Durham Lane and is approximately 80m west of the Allen's West level crossing. The site access is shown on drawing 1402202 and takes the form of a priority junction with a left turn slip to ensure that vehicles approaching the site from the south are removed from the main Durham Road carriageway, as soon as possible, to reduce the chance of blocking back towards the Allens West level crossing. The proposed junction has visibility splays of 2.4m x 90 which are considered to be acceptable.

If approved, the proposed site access and internal roads would need to be constructed in accordance with the Council's Design Guide and Specification. The applicant would need to enter into a Highways Act Section 38 Agreement for the highway and footpaths which are to become highway maintainable at the public expense. A highway adoption plan is requested to confirm which areas would become maintainable at the public expense.

Layout

The proposed site plan is shown on Drawing 2831 C-02 Rev W. The access road would be 6.0m wide with a 2m wide footway on both sides of the road. Internal roads would be at least 4.8m wide with a footway on at least one side.

Car and cycle parking must be provided for each dwelling in accordance with SPD3. On a greenfield site such as this the Council would expect the development to meet the parking standards which requires two spaces for three bedroom dwellings and three spaces for four bedroom dwellings. One space per affordable unit is acceptable in accordance with the parking standards but it is generally requested that sufficient space be provided within the layout to allow for the construction of a second parking space if the tenure of the social rented properties changes in the future.

Each in-curtilage parking space should be 6 metres in length to ensure that parked cars do not overhang the footway. Many of the driveways are only 5m in length. In constrained circumstances driveways can be reduced to 5m in length but new developments should provide driveways that meet the recommended 6m where possible.

Similarly, in accordance with SPD3, a garage can only be counted as a parking space if it meets the minimum internal dimensions of 6m x 3m.

The proposed layout meets the parking standards, as set out in SPD3, and the current proposals are therefore acceptable.

Should the application be recommended for approval, the need to provide and agree a Construction Management Plan with the Highway Authority should be secured by planning condition to minimise the impact of any construction works on the public highway.

Traffic Impact

A Transport Assessment (TA) has been submitted in support of the application.

As a part of the TA a traffic survey was undertaken at the Durham Lane / Chaldron Way roundabout and the trip rates from this survey have then been compared with the trip rates from the Allens West Transport Assessment. The applicant has demonstrated that the observed trip rates at Chaldron Way are representative and are therefore acceptable for use within the TA.

The trip generation of the proposed development are shown in Table 1.

Table 1: Trip Rates and Trips

	Arrivals	Departures	Total
	Trips	Trips	Trips
Weekday AM Peak Hour	8	41	49
Weekday PM Peak Hour	41	18	59

A capacity assessment of the proposed site access has been undertaken and this has demonstrated that, taken account of existing development, committed development and the proposed development, the new junction will operate with significant spare capacity.

A capacity assessment has also been undertaken at the Durham Road / Chaldron Way roundabout which has demonstrated that the junction will continue to operate within capacity when considering the impact of the committed developments and the proposed development.

No capacity assessment has been undertaken at the A66 Elton interchange however, the TA has demonstrated that during the AM peak 44% of trips (22) and during the PM peak 35% of trips (21) would go through Elton Interchange. There is a known capacity issue at this junction and a contribution of £63,100 towards mitigating the impact of the proposed development at this location should be secured through an s106 Agreement.

No capacity assessment has been undertaken at the Urlay Nook Road / Durham Road (Tesco's) roundabout however, the TA has demonstrated that during the AM peak 56% of trips (27) and during the PM peak 65% of trips (38) would go through this junction. There is a known capacity issue at this junction and a contribution of £21,117 towards mitigating the impact of the proposed development at this location should be secured through an s106 Agreement.

Sustainable Transport

The site layout provides a footway connection that links the access road to the existing pedestrian footway on Durham Road. A pedestrian crossing facility of Durham Road is located approximately 115m to the north of the proposed site access which provides access to a shared cycleway / footway on the opposite side of Durham Road.

Bus stops providing access to services both northbound and southbound are located within 160m of the site access and the Allens West rail halt is approximately 90m south of the site access.

The quantum of development on this site does not warrant a Travel Plan. However, it is recommended that the development provides welcome parks for new occupants which provides details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour from the outset of the development. This should include the provision of the offer of incentives including for example public transport discount vouchers, local cycle shop vouchers and home delivery discount vouchers up to the value of £100 per dwelling. The Section 106 agreement should request this £100 per dwelling be made available.

Landscape & Visual Comments

The development site is located in an open field that is linked to the residential property of West Acres and this site is located within development limits. The principle for development is therefore accepted. To the north and west of the site lies the Allens West MoD/industrial complex, but this site now has an extant permission for a mixed used development including 845 houses scheme planning ref 11/2842/EIS. The eastern boundary is defined by Durham Lane with housing beyond and the southern boundary by the Middlesbrough to Darlington Railway Line including Allen's west railway station.

The sites main frontage is the south eastern part that faces Durham Lane and is defined by a low hawthorn hedge. The southern boundary is characterised by a number of mature trees that are growing alongside the railway line and these trees help to screen the site from the railway. The western and northern site boundaries are defined by the 1.8m high security fence that encloses the Allens West site. A new conifer hedge has recently been planted on the northern site boundary and this extends along the north eastern boundary to meet the hawthorn hedge on Durham Lane. A small number of trees are located in the north western corner of the site that would need to be removed as part of this development, but views of these from Durham Lane are largely screened by the existing house West Acres.

The hawthorn hedge that defines the development frontage facing Durham Lane is old and overgrown presenting a somewhat unkempt appearance at present. This hedge should be coppiced, together with a replanting scheme alongside it and in the hedge gaps with all old fencing removed. The species used should be mainly hawthorn together with related native hedging species such as field maple, hazel and holly. Metal railings would be an acceptable detail along this frontage and should extend into the site at the front of plots 31 and 32. All railings should be painted black.

Maximum use must be made of the landscaped areas within the car parks for planting such as the parking areas for plots 5-15 where planting rather than grass should be used.

The three storey apartment blocks benefit from a belt of frontage landscaping on the southern edge of the related car parking areas and the indicative areas shown for planting are considered acceptable. However these areas should be for shrub and tree planting only and not grass (as indicated on the layout plan), in order to fully soften views of the parking.

The open space within the development follows a service easement that crosses the centre of the site. This is divided into a central linear area known as 'The Green', that runs between two lines of housing and includes seating areas, trees, shrubs and wildflower planting and a central paved hub for social activities and a 'recreational space' in the south west corner of the site comprising an open grass space with seating and tree planting. The proposed character of 'The Green' is illustrated in a visual perspective, and it is understood

that tree planting of selected species will only be acceptable on the edges of the site easement in line with the requirements within Sewers for Adoption guidance for planting within an easement. In selecting tree species near the houses allowance must be made for canopy spread and shading. Given the restriction of tree planting within this area, full use must be made of shrub and herbaceous planting and hard landscaping to create an attractive space. Wildflower planting is not recommend in such a formal area as these areas can look untidy for much of the year and are better suited to 'wilder edges' of open spaces. Spaces should be 'broken up' with surfacing, street furniture and planting to discourage ball games in this area. Street furniture such as seating, bins and bollards should be hard wearing.

The 'recreational space' is too small to function as an informal kick about space and is located next to a railway line discouraging active recreational usage. An offsite contribution will be required for this development. Screen planting in the form of native woodland block planting, will be needed here against the southern boundary to provide a screen for the railway allowing for the stipulations of the service easement. The arrangement of seating, as shown on the Indicative Landscape Layout, is unusual as shown in a line and seats should face into the open recreational area or into the estate.

The shading drawings provided are acceptable and as the southern boundary planting is comprised of mainly Hawthorn near the proposed housing, shading of the gardens will be minimal as indicated.

Condition wording is attached below in the informative section.

Environmental Policy

The planning application currently lacks commitment to Code for Sustainable Homes Level 4 and to meeting 10% of energy supply from embedded renewable sources.

Core Strategy Policy 3 (CS3 – Sustainable Living and Climate Change) requires the development to achieve 10% embedded renewables. Details are therefore required, supported by data, on predicted energy demand and commitment to provide at least 10% of energy from renewable energy.

There should be an approach to a development of this type to provide low energy cost homes and this should be secured by condition.

Flood Risk Management

The applicant has submitted a Flood Risk Assessment (FRA) which sets out the principals for managing surface water runoff from the proposed development which are acceptable.

The need to attenuate surface water flows and provide on-site storage has been highlighted, Northumbrian Water have agreed to a discharge of 25l/sec into their surface water sewer for the whole site, however as these flows will ultimately discharge into Nelly Burdons Beck, The discharge rate should be restricted to existing greenfield runoff rates (Qbar), which have been calculated at 10l/sec.

The site is located within a Flood Zone 1 and the Environment Agency flood maps highlight a risk of surface water flooding (acknowledged in the FRA). There are no records of flooding downstream of the proposed discharge point into Nelly Burdons Beck during extreme rainfall events.

The drainage strategy presented states that the 1 in 30 year storm will be contained within the proposed drainage system, and all events greater than the 1 in 30 up to the 1 in 100

year event will be contained within the site. As no detailed design is available highlighting the techniques to be used to achieve this, or any information confirming responsibility/ownership for the maintenance of the whole surface water drainage systems, especially those aspects that will not be adopted by NWL, this should be secured by condition.

Other Relevant Comments:

It is recommended that Developer considers SuDS Techniques to collect, treat, store and then release storm water slowly to the environment
 A detailed Construction and Maintenance plan will need to be submitted and approved by the Local Planning Authority before construction works can commence
 The discharge rates are still to be agreed.

9. SBC – Education

Using SPD6 formula and excluding the 2 bedroom apartments as per SPD6 criteria therefore following based on 58 dwellings.

Primary pupil yield - 15.1
 Secondary pupil yield - 11.6

This site falls into the following schools admission zones:

School type	School Name	PAN	Reported Capacity	Number of pupils on roll October 2014	Surplus
Primary	Durham Lane	30	210	192	18
	St Cuthbert's RC	30	189	179	10
Secondary	Egglescliffe	235	1434	1465	-

Based on the table above we could probably pursue a contribution towards both primary places and secondary subject to discount at trigger point.

After applying indexation to the SPD6 2006 building costs of £8,000 for primary and £12,960 for secondary the 2014 cost per place (used in the Harrowgate / Yarm back Lane master planning) for primary now reads £9,215 and the cost per place for secondary becomes £14,928.

Stage 1 pupil yield

Primary – 58 x 0.26 = 15.1 pupils
 Secondary – 58 x 0.20 = 11.6 pupils

Stage 2 education contribution

Primary – 0.26 x £9215 x 58 or (£2395.90 x 58) = **£138,962.20**
 Secondary – 0.20 x £14,928 x 58 or (£2985.60 x 58) = **£173,164.80**

Stage 3 discount to developer

Discount for every vacant place in the named primary / secondary school(s) as determined above in the S106.

(Any agreement would be subject to index linking in accordance with the Tender Index published by the Building Cost Information Service)

We are going to see Egglecliffe School continue to be oversubscribed and as its expected pupil growth from within its current admission zone as planning applications continue to come on line, so I think pursuing a contribution is sensible.

10. SBC - Head of Housing

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

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

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

We note from the Planning Support Statement that the developer is proposing to provide 13 affordable housing units within the site. Based on a market scheme of 82 units, 13 affordable units equates to 18%, which is acceptable as it is in line with the need identified in the SHMA 2012 and is compliant with Policy CS8 as outlined above. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

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

A worked example based on 13 affordable units: -

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

Proportion	No. of units	Tenure
70%	9 units	Rent
30%	4 units	Intermediate Tenure
100%	13 units	Total

Bed Size: Using borough wide figures from the SHMA 2012

Size	Proportion	No. of units
2 bed	91%	12 units
3 bed	9%	1 units
Total	100%	13 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
12 Units	2 bed	8 x Rented
4 x	Intermediate Tenure	
1 units	3 bed	1 x Rented
0 x	Intermediate Tenure	

Space standards - the Council would expect all affordable housing units to comply with Homes and Communities Agency Level 1 Space standards and associated design and quality standards.

11. Tees Valley Wildlife Trust

The report looks fine. The main point to note is Para 8.2 which states

The great crested newts can be dealt with by an exclusion and clearance exercise carried out under license issued by Natural England. In early discussion with NE they have indicated that it should be a minimal ring fencing and pitfall trapping exercise for thirty consecutive days

The usual practice would be for the developers to apply for and receive a licence for this work prior to planning approval.

12. H.M. Railway Inspectorate at The Office Of Rail Regulation

We have reviewed the application and supporting documents & note that your proposals do affect the current or (future)operation of the mainline network in Great Britain and also note that Network Rail have been consulted, and that they have made their comments.

Having reviewed the information supplied to us ORR have no objection to the planning application.

13. The Environment Agency

The Environment Agency has no objections to the proposed development but wishes to provide the following information:

Flood Risk/Surface Water Disposal

Although we have no objections to the proposals based on the submitted Flood Risk Assessment (FRA), we recommend that the mitigation measures described in section 6.2 are implemented in order to reduce the risk of flooding.

The surface water discharge rate should be agreed with Northumbrian Water.

Disposal of Foul Sewage

As it is proposed to dispose of foul sewage via the mains systems, 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.

Great Crested Newt

Our records show that there could be great crested newt in the area. These are protected under the Wildlife & Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

14. Northumbrian Water Limited

We would have no issues to raise with the above application provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment" dated July 2014. In this document it states on P.07 in Table 3.2 that: "Surface water discharge to follow infiltration-watercourse-sewer hierarchy. If infiltration and watercourse is not possible, discharge to public surface water sewer at max 25l/s". It is also stated that foul flows will discharge to the public foul sewer on site. The surface water drainage strategy is confirmed again on P.10 section 5.2 which states: "...the

proposed discharge to the public surface water sewer is 25.0l/s for up to the 1 in 100 year plus climate change design storm".

As the proposed drainage strategy in the submitted document reflects our requirements for foul and surface water discharge, we would request that the Flood Risk Assessment forms part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option.

For information only

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

15. Northern Gas Networks

Advised they may have apparatus in the area and suggested the applicant contact them in advance of commencing on site.

16. Stockton Police Station

National Planning Guidance states that designing out crime and designing in Community Safety should be central to the planning and delivery of new developments. Section 17 of the Crime and Disorder Act 1998 requires all Local Authorities to exercise their functions with due regard to their likely effect on crime and disorder and do all they reasonably can to prevent crime and disorder. The Prevention of crime and the enhancement of community safety are matters that a local authority should consider when exercising its planning functions under the Town and Country Planning Legislation. Crime should not be seen as a stand-alone issue, to be addressed separately from other design considerations. Secured by Design

Secured by Design 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 500m of location over a 12 month period between 7/11/13 - 06/11/14 which revealed a total of 23 criminal offences including 6 Burglaries, 9 Thefts, 3 Criminal Damages. Within the same time period a total of 30 Anti-social behaviour incidents were reported to Police.

Access and Movement

The aim is to create places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security. 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 200mm boxed 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. Rear access gates to plots 2,4,5,6,7,8,9,10,21,22,23,24,25, 26,27,28,29,30, 33,35, 38,39,40 should be well illuminated and must be placed to the entrance of the footpath. The gates must be fitted with a key operated lock, operable from both sides. The gates should be free of climbing aids and be to a min 1.8m in height. I would recommend that the proposed side boundary to plot31 be changed to Fence type A or Fence type D. I am not aware of any proposed boundary treatment to the side of the apartment blocks, the rear of these should be protected with boundary fence and gates to a min of 1.8m Any fencing or gates be fitted as close to the front building line as possible. With gates fitted with bolt and padlock.

Apartment Blocks Communal entrances must have a visitor door entry system with an integral or remote camera providing colour images and audio communications between the resident and the visitor.

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. Conflict can occur between residents and users of open space areas such as the open space area between plots 19 and 82. To offer greater protection to the side boundaries of these plots defensive planting of spikey shrubs next to the side boundary fence could be planted. 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, footpaths and shared drives should be lit to the levels as recommended by BS5489:2013 with a minimum 40% uniformity and a minimum colour rendering index of 60.

Landscaping

Any Landscaping proposed should not restrict natural surveillance or providing hiding places. A maintenance programme should be put in place. As a general rule shrubs should be to a max of 1.0m and trees should have no growth below 2 metres.

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

Doors

All door sets including flat entrance doorsets to apartments should be certified to BS PAS24-2012 and be fitted with a door chain or door limiter. A door viewer fitted between 1200mm and 1500mm from the bottom of the door this is not required if a visual panel with clear glazing is fitted. All glazing in and adjacent to doors should be laminated to a minimum thickness of 6.4mm Windows Ground floor windows and those easily accessible above ground floor should be certified to PAS24-2012. Consideration should be given to smaller top openings for ground floor windows.

Security Lighting to Dwellings

Lighting is required to illuminate all external doors and car parking areas. Lighting must be switched using a photo electric cell with a manual override Intruder Alarms A 13amp non switched fused spur, suitable for an alarm system must be installed. If the full alarm system is installed it shall comply with BS EN 50131&PD6662 wired system or BS6799 wire free system

Sheds

Sheds for bike storage require the following security measures. Min 38x50mm planed timber frame

Min 11mm floor and roof construction No window present

Coach bolts used for hinges hasp and staple Sold secure Silver or LPS 1654 SR1 padlock

Secure anchorage certified to Sold Secure Silver or LPS 1175 SR1 Garages External

Garage doorsets must be certified to LPS 1175 Security Rating 1 or STS 202 Burglary rating 1

Alternatively a door not certified to the above would be deemed satisfactory if an external garage defender type security product is fitted. Such products must be certified to Sold Secure Bronze level or above.

Letter Boxes

Secure mail delivery should be in place for apartment blocks please provide details of the proposed mail delivery for these buildings Activity Places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times Meets the requirements

Management

Places that are designed with management and maintenance in mind to discourage crime in the present and the future. Landscaping should be maintained car parking areas should be kept clean and free from debris. Valuable Metal Theft Although not an Secured by Design requirement I would recommend where possible to use replacement materials instead of valuable metals particular easily accessible copper and lead which will be at high risk of been targeted.

17. Tees Archaeology

There are no known archaeological sites in the area indicated. I understand that the historic farm buildings named Low Crook were demolished in connection with an earlier development proposal.

I therefore have no objection to the proposal and have no further comments to make.

18. Chief Fire Officer

Cleveland fire Brigade offers no representations regarding the development as proposed. However access and water supplies should meet the requirements as set out in approved document B volume 1 of the building regulations for domestic dwellings, or where buildings other than dwelling houses are involved then these should meet the requirements of Approved Document B Volume 2 for both access and water supply requirements. Further comments may be made through the building regulation consultation process as required.

19. Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the railway.

Given the size and proximity of the development in relation to the railway it is considered appropriate that a contribution is sought from the developer towards station facility improvements. As part of the pre-application with the developer we discussed station

improvements including the provision of further cycle storage at the station. We are happy to discuss possible improvements to the station with the council as part of any S106 package as the application is processed.

Level Crossings

The Allens West level crossing is within close proximity to this proposed development and we are pleased to see the developer has included the requirements and outcomes of the discussions held with Network Rail within the Transport Assessment.

We would expect the delivery of these improvement measures to be conditioned as part of any planning consent to ensure their delivery and acceptability.

You are also obliged to consult with H.M. Railway Inspectorate at the Office of Rail Regulation on the application (in accordance with the provisions of the Town & Country Planning (General Development Procedure) Order 2010, SI:2010 No.2184 and Paragraph 13, Appendix B of Department of Environment Circular 9/95).

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.

Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.

Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Fencing

Although the existing NR fence is adequate in preventing trespass there will inevitably be pressure from the new residents to soften or even attempt to alter its appearance. It should be noted that our fence should not be altered or moved in any way and nothing should be put in place to prevent us from maintaining our boundary fence as we are obliged to do so in law. It is our experience that most developments seek to provide their own boundary enclosure so as to avoid such future problems. It would also help to reduce the impact of railway noise.

We would advise that the developer should provide a trespass proof fence adjacent to Network Rail's boundary (minimum 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour

should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Cretaeagus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (Shrubby *Salix*), Thuja Plicatata "Zebrina"

Not Acceptable:

Acer (*Acer pseudoplatanus*), Aspen - Poplar (*Populus*), Small-leaved Lime (*Tilia Cordata*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), Ash (*Fraxinus excelsior*), Black poplar (*Populus nigra* var, *betulifolia*), Lombardy Poplar (*Populus nigra* var, *italica*), Large-leaved lime (*Tilia platyphyllos*), Common lime (*Tilia x europea*)

A comprehensive list of permitted tree species is available upon request.

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Standard lighting condition: For the first three months following the installation and operation of the new lighting an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/cowling or light adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the local planning authority in association with Network Rail and the train operating companies

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges). We would have serious reservations if

during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Cranes

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Children's Play Areas/Open Spaces/Amenities

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should not be able to be climbed.

I would advise that in particular the Level crossings, drainage, boundary fencing, landscaping, OPE, method statements, soundproofing, lighting and landscaping should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

20. Parish Council

Egglescliffe & Eaglescliffe Council has serious concerns relating to pedestrian and road safety issues in proximity to the level crossing which has recently been modified increasing the length of time that the barriers are down and traffic queues. South bound traffic on Durham Lane waiting to turn right into the site would further increase queues at the crossing and drivers waiting to access the site may be tempted to 'queue jump' by using the wrong side of the highway, meeting head on with traffic turning left from the site to head North on Durham Lane. Traffic safety issues would be further exacerbated by vehicles picking up and dropping off at Allen's West station.

The council is also concerned about the lack of a safe, fenced in play area for younger children and/or a pedestrian crossing for safe access to the play area at Kingsmead.

The council also noted that there is no evidence in the Housing Needs Assessment that Eaglescliffe needs more apartments.

PUBLICITY

21. Neighbours were notified and comments received are summarised below:-

22. Dr Philip Maltas, 8 Royal George Drive Eaglescliffe

We (Stephanie Ward and Philip Maltas) strongly object to the planned West Acres Development. The addition of 82 houses to the area will put considerable strain on an already struggling transport route through Yarm, not to mention the pressures on local schools and services. An increase of more than 160 cars, ignoring those from other planned developments, to the rush hour traffic will cause a large increase in pollution and is likely to result in gridlock.

With the current rush by developers to cash in on the desirability of Yarm and Eaglescliffe it is looking increasingly likely that the very reasons people wish to live here (good schools, accessible and tidy high street, transport networks into Teesside) will be diluted or lost completely. For these reasons we strongly feel that the application should be rejected before we turn this area into another, soulless, Ingleby Barwick.

23. Mrs Helen Agar, 90 Meadowfield Drive Eaglescliffe

The application for a similar development with 75 properties was refused in 2004 - only to resurface now with 82 properties. And we are shortly to endure yet more development on the MOD site and Hunters Green - so this extra is surely over development - we are currently overwhelmed with traffic, and traffic noise, over Allens West Rail Crossing as it is. Greenfield sites, and family houses are disappearing in huge numbers over the Eaglescliffe area. When is it all going to stop?

24. Mrs Claire Smyth, 19 Talisman Close Eaglescliffe

Has the impact on local amenities been considered at all? Traffic is already horrendous on Durham Lane and crossing the road as a pedestrian is dangerous. Having fought unsuccessfully for three years to get a pedestrian crossing for our children I hope this has also been considered as there will be many people crossing backwards and forwards to visit properties either side of the road. Plus, 82 residences is approximately another 160 people in the area. Can local schools, dentists and doctors cope with this? Getting an

appointment at the doctors is already like gold dust. I can't imagine rush hour either, with an extra 100+ cars all trying to get out of that area. Crossing the road to get to the train station will take ten minutes longer than the current ten minutes it takes, even then you have to cross halfway and hope a considerate driver slows down to let you the rest of the way across. I'm sure with the extra 82 sets of council tax, Stockton council will have a bit more cash to be able to improve the local infrastructure to be able to cope with this.

25. Mr Andrew Bowker, 15 Trevithick Close Eaglescliffe

I oppose the development that is proposed for the following reasons:

The area is already overdeveloped and with more housing planned at hunters green and Urray nook road along with several large developments in Yarm this will increase traffic which is already at unacceptable levels especially at peak times.

How do they plan to have access to this site? The modifications that were recently made to the railway at Allens West means that the time that the barriers are down (now approximately 4 minutes) causes large tailbacks, with increased traffic leaving this site, this will result in greater traffic problems. Also what will happen to the small car park facility at the station and will it be safe for people to enter/leave the station if this is now an access road.

Schools in the area are already oversubscribed, if family homes are being introduced where will these children be educated.

There is already planning in place to redevelop the old MOD site, surely this will provide more than an adequate number of homes when this is done, therefore removing the last of the open space on this side of the industrial estate.

26. Mr Derek Underwood, 54 Grassholme Way Eaglescliffe

I strongly object to the proposal to build 82 dwellings on the West Acres Site. This application is in addition to already approved developments of approximately 850 houses on the Allens West site and 150 houses at Urray Nook. It is also obvious from the plans submitted for Urray Nook that there will be further applications for additional housing on this site.

Objections are based on;-

Over development of Eaglescliffe

Traffic. Roads are already congested even before already approved developments are completed. Access to Yarm at certain times is impossible. Access and exit to Eaglescliffe is also restricted on Durham Lane at both Tesco's roundabout and at Elton roundabout.

Schools. Schools are already oversubscribed and there are no plans for expansion.

27. M Breckon, 73 Emsworth Drive Eaglescliffe

Object due to the volume of traffic already on Durham Lane which is the only access to Yarm and the A66 from the site. We have trouble getting off our estate onto Durham Lane and with plans already having being passed for 800+ houses at Allens West it will get worse.

28. Mr Richard Harandon, 8 Seymour Drive Eaglescliffe

Object against this development. Apart from the boxes ticked above, my objection is one of principle. There should be no further sizeable residential developments within this area of Eaglescliffe, indeed any area of Eaglescliffe in the immediate future. The area is simply becoming over-developed; there have to be voices which speak up for retaining what character it still has.

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.

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.*

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*
 - iii) *To support sustainable development in Ingleby Barwick.*

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. *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.*
3. *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.*
4. *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.*
5. *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.*
8. *Additionally, in designing new development, proposals will:*
 - _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;*
 - _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;*
 - _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;*
 - _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.*

Core Strategy Policy 6 (CS6) - Community Facilities

1. *Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.*
2. *Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.*
3. *The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.*
4. *Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.*
5. *Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.*

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

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.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

8. 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.
9. 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.

MATERIAL PLANNING CONSIDERATIONS

Principle of Development

29. The site lies within the limits of development on a largely greenfield site. Permission for a residential development on this site was previously refused in 2005 which included reasoning relating to it being a greenfield site, it creating hazards in respect to the operation of the level crossing and in relation to it not being able to provide an emergency access into the development.
30. Since the determination of the earlier application planning policy and guidance has changed and there is no longer a presumption against development on greenfield sites. Further to this, Manual for Streets has been published which provides for a more holistic approach to be taken in respect to how developments are served in highway terms. In view of these matters, the earlier considerations for the site has only limited relevance to this current proposal which has to be considered against current guidance.
31. The site is within the limits for development, in a sustainable location located close to leisure, employment, retail and education uses as well as being in close proximity to bus services. Residential development on the partly greenfield site is in accordance with relevant national planning policy in these respects whilst local housing policies are currently viewed as being out of date due to NPPF guidance indicating such in instances where the authority is unable to demonstrate a deliverable 5 year supply of housing.
32. Beyond the principle of development, the main material planning considerations relate to the site layout, design, appearance and landscaping, highway related matters, impacts on residential amenity and impacts associated with the adjacent railway line. These and other matters are considered as follows;

Site Layout, Design, Appearance and Landscaping

33. The site layout has been based around a number of constraints which includes the point of access and a way-leave which runs through the site. Properties are served off a loop road off which there are 4 cul-de-sacs. A range of 2, 3, 4 and 5 bed property types have been proposed over 2 and 3 floors, as a mix of detached, semi, terrace and apartments which is considered to offer a good mix notwithstanding lack of bungalows which policy would favour. The Parish Council have raised concern that there is no evidence that Eaglescliffe needs any more apartments, however, these form only part of a mixed scheme and are relatively low in numbers and as such are considered to be a positive inclusion to provide for a mixed community.
34. A large area of public open space is provided through the centre of the development which follows the route of a Northumbrian Water way-leave. This is considered to be beneficial to the greening of the scheme although the council will not adopt this in view of potential liabilities and its limited size for active recreation. A condition is recommended requiring suitable landscape treatments to be provided for this area along with details of its future management. The Parish Council have raised concern about no fenced play area being provided within the site, however, there is open space through the centre of the scheme and in the south west corner. Although this is not fenced from the internal road, there is good visibility in this area and traffic speeds should be relatively low.
35. All properties are provided with adequate private amenity space apart from the apartments which have been provided with a relatively large communal amenity area to the side and rear of the blocks. Footpaths and communal space is set slightly away from ground floor windows within the apartments to achieve reasonable levels of privacy for future occupiers.

36. Consideration has been given to the positions and types of boundary treatments, taking a hierarchy approach to the quality of those in the most visible areas. Corner turn houses have also been specified to key plots within the street scene in order to minimise views of blank gables and ensure a high quality appearance throughout. Network Rail have highlighted the need for a close boarded fence against the railway boundary and this will be dealt with in agreeing final details of boundary treatments controlled by the recommended condition.
37. Property designs are relatively modern and include features such as under-croft patio areas, large stair well windows and a split eaves roof to the apartments. These are all considered to be suitable for a site of this nature and location.
38. Landscaping is achievable within front and rear garden areas as well as centrally within the site which will be a key characteristic of the development. Existing landscaping exists to the southern boundary with the railway which is out-with the site and which would therefore remain. A hedge exists to the eastern roadside boundary which can be trimmed back and supplemented to benefit the appearance of the site frontage. Other formal landscaping will exist to the front of the apartments and assist in reducing the visual impact of the associated car park. The councils Built and Natural Environment Manager has raised no objections to the scheme on landscape grounds and conditions are recommended to agree final landscape details and gain long term management of public areas which will not be adopted by the council.

Highway related matters

39. The proposed residential development takes its access off Durham Lane at a point north of an existing rail level crossing and at a point where there are footpaths on both sides of the carriageway and a cycleway in close proximity. The councils Built and Natural Environment Manager has advised that the access junction and associated visibility splays are appropriate for the development in this location.
40. It is advised that the proposed development meets the councils parking standards for residential uses taking into account number and size of parking spaces.
41. The submission included a Transport Assessment which considered trip rates and impacts on peak hour capacity associated with the nearby junctions where it is anticipated traffic would impact upon which is deemed to be adequate. No capacity assessment has been undertaken of the A66 Elton Interchange Junction to the north of the site or the Urray Nook Road / Durham Road roundabout to the south which the Transport Assessment indicates will be impacted on. In view of known capacity issues at these junctions, the Built and Natural Environment Manager has requested contributions are made as detailed in the Heads of Terms for works to both junctions. Junction improvements in these locations are considered to be appropriate to allow increase of traffic capacity.
42. Residents have objected to the additional traffic strain that the scheme would place on traffic travelling through Yarm Centre. Whilst noted, Traffic from this site is likely to be dispersed over a wider area, including heading north to the A66 and the scheme is not of a significant size. In addition, there are a number of parking schemes which have been undertaken / yet to be undertaken in and around Yarm Centre. The Built and Natural Environment Manager has not raised concerns over impacts on Yarm centre.
43. The Parish Council have raised concerns relating to pedestrian and road safety in proximity to the level crossing which they have indicated as being recently modified to increase the time that barriers are down and therefore results in increased traffic queues. The Parish Councils concerns are that this may lead to queue jumping when the barriers are down in

order for cars to access the estate and this may conflict with vehicles travelling north. These concerns are noted, however, no objections have been raised by Network Rail, the Office of Rail Regulation or the councils Built and Natural Environment Manager on this point.

44. The site will connect its footways to those within the surrounding area and give access to the nearby cycle path. Bus stops are located in close proximity to the site on both northbound and southbound directions which is considered to assist with sustainable travel.
45. Although the quantum of development is considered to not warrant a travel plan, it is considered appropriate to provide welcome packs to residents about sustainable travel options and for a travel plan incentive to be provided (£100 per dwelling) which will assist with limiting the impact of traffic on the surroundings through sustainable travel. These are provided for by an informative and inclusion within the Heads of Terms.
46. The Built and Natural Environment Manager has requested that a Construction Management Plan be imposed to minimise impacts of any construction works on the highway and in view of the scale of the development and the nature of Durham Lane and the sites proximity to the level crossing, a Construction Management Plan is considered to be justified. A condition is recommended accordingly.
47. The Parish Council have raised concern that there is no pedestrian crossing from this side of Durham Lane to a nearby play area in the Kingsmead estate on the opposing side. Whilst noted, it is considered that this scale of development does not warrant provision of a new crossing whilst it is also understood that a crossing is a requirement of the larger housing scheme (approx. 840 dwellings) approved on land immediately to the north of the site which has not yet commenced.

Impacts on residential amenity

48. The proposed residential development is located away from existing dwellings and should therefore have no notable direct impacts on existing properties within the area. There is an approved outline residential scheme to the north and west of the site (Allens West) which has not as yet had its layout fixed by reserved matters. Regard has been had to the indicative layout which formed part of the Masterplan and the apartment blocks of this application site have been re-orientated to take into account the potential of overlooking of any forthcoming housing to the northern boundary. The 3 storey apartments have their upper floor within the rear roof slope and associated windows are provided as roof lights. It is considered that there would not be a significant detrimental impact on future amenity or privacy for the future occupiers of the adjacent site as a result.
49. The remainder of the proposed site has been amended in layout and house types during the course of the application in order to ensure suitable amenity and privacy can be achieved for future occupiers having regard to existing landscaping and associated shading from the adjacent site to the south

Affordable Housing Provision

50. The application has indicated the provision of 13 affordable housing units with the development which equates to 18% of the total number, thereby complying with the 15-20% policy requirement of Core Strategy Policy CS8(5). The Head of Housing supports this in principle and a condition is recommended to achieve this provision and to ensure appropriate tenure is achieved.

Impacts associated with the adjacent railway line

51. The application site lies to the northern side of an existing railway line and proposes an access into the site off Durham Lane, in close proximity to a level crossing associated with the railway.
52. The Office for Rail Regulation have been consulted on the application and have raised no objections to the proposed development. Network Rail have also considered the submission and indicated that they have no objection in principle but have sought to indicate requirements which they believe should be incorporated into the scheme. This includes provision of a taper into the site off Durham Lane and affecting timing associated with the nearby Toucan Crossing which will assist in reducing the likelihood of cars backing up towards the level crossing. These are out-with the site and would be dealt with via a Section 38 Agreement that the applicant will need to enter into with the Local Highways Authority.
53. Network Rail have requested that the developer make a contribution to provide station improvements, potentially including cycle stands. Whilst noted, it is considered that the provision of new housing immediately adjacent to the station does not justify the need for cycle stands and it is an operational station.
54. Other comments from Network Rail relate to works in close proximity to their boundary and infrastructure, suggesting that the development should provide appropriate fencing along the site boundary to prevent which is a matter which can be dealt with by condition.
55. Network has suggested that the development should be adequately soundproofed from the operational railway and this point has also been raised by the Council's Environmental Health officer. A condition is recommended to address this point.
56. Network Rail have indicated a need to control lighting close to the operational railway although the site layout means that either open space or rear gardens generally abut the shared boundary. In view of this it is envisaged that there would be no adverse impacts of lighting from the scheme on the operational railway.
57. Network Rail have indicated that there may be a need to submit method statements to them in respect to the development and generally where the excavations and foundations will be within 10m of the boundary with the railway. An informative is recommended to address this which will allow the developer to gain agreement with Network Rail should it be necessary.

Contamination

58. The application was submitted along with a land assessment. The council's Environmental Health Team have assessed this and have noted that there are several sites in the vicinity of this that could act as sources of contamination. As such, there is a requirement for appropriate survey work to be undertaken to further assess the likelihood of any contamination and remediate it where necessary. A condition is recommended to address this.
59. Residents have objected to the scheme based on additional traffic pollution, however, no evidence has been provided to support this. The scheme will add traffic to the area, on the local road network which, subject to some works being undertaken is considered to be able to cope with the additional traffic. In view of this, concerns over additional pollution from traffic are considered to have limited weight.

Surface / Foul Water and flood risk

60. The application was submitted with a supporting Flood Risk Assessment. The Environment Agency, Northumbrian Water and the Council's Surface Water Management Team have

considered these details. The Environment Agency have raised no objection although has recommended that mitigation measures detailed in the Flood Risk Assessment are implemented and that surface water discharge rates and foul water connections should be agreed with Northumbrian Water. Northumbrian Water have indicated that they have no issues to raise with the proposed development provided that the development is carried out in accordance with the submitted flood risk assessment which confirms discharge rates should a sewer connection be required. A condition is recommended to achieve this which includes agreement for the long term maintenance.

Contributions

61. The proposal will result in the increase in population within the Eaglescliffe area. Core Strategy Development Plan Policy CS11(1) requires all new development to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements. The Councils Supplementary Planning Guidance Note 6 highlights a need for housing developments to contribute towards the provision of school places in circumstances where there is insufficient capacity with existing schools at the time the development commences. The SPD provides a standard formula for the financial contribution required at the appropriate time relevant to the number of children likely to be living within the development and available school places.
62. The Councils Education Strategy Manager has responded to the consultation exercise, indicating that there is only limited surplus at primary schools local to the site and no capacity in the local secondary school. With other housing development approved in the area, this capacity is likely to reduce and it is therefore considered necessary to provide a contribution towards provision of school places. The capacity at the trigger point for payment is not known in view of it being at a point in the future which has not yet been defined and which development on other approved sites may affect. The contribution would be subject to a discount related to available school places at the time of the payment being calculated. Relevant schools to considering capacity are Durham Lane and St Cuthbert's RC for primary provision and Egglecliffe School for secondary provision. These are detailed within the Heads of Terms.
63. This approach reflects the stance taken with the approval for housing at the nearby Uray Nook site. In reporting the Uray Nook application it was indicated that;

'it is anticipated that the Free School at Ingleby will move forward and provide secondary school places within the local area, thereby freeing up spaces at the Eaglescliffe schools, particularly as a notable percentage of children in Egglecliffe Comprehensive are from Ingleby. The requirement for the applicant to sign up to the secondary school contribution is therefore being done as a precautionary measure, taking into account the council not having control over whether the free school becomes operational or its success rate at attracting students.....

... 'Officers accept that there has been significant changes in the way in which funding for schools improvements is made, the availability of funding and that the choices that parents have also affects matters. The councils influence over all matters impacting on school places is therefore limited and as such uncertainties are unavoidable as there is a changing situation year by year. However, it is not appropriate for uncertainty to prevent any further development taking place if appropriate provisions can be made. By requiring the applicant to sign up to providing contributions for both primary and secondary school places, should they be necessary, adequate provision can be made. Further to this, for secondary schools, providing places out-with the catchment could free up school places within the catchment by allowing children within other catchments to have alternatives. Various options therefore become available and the council needs the flexibility to spend the monies to provide the number places at the most appropriate location to the address the

needs of the development. Allowing a flexible approach to where the monies are spent is considered to be necessary'.

This remains to be the case in relation to this proposal.

64. The proposed scheme provides some open space on site, although this is over an existing way-leave which the council have advised they would not adopt. The Councils SPD on Open Space, Recreation and Landscaping details the different types of open space which should be provided by developments and areas where there are deficiencies. Appendix ref: 1 details the considerations in relation to the provision of off-site recreation and open space. In summary, the scheme is able to provide for an off-site Multi-Use Games Area which would be in lieu of provision on site and towards the provision of built facilities which would provide for more structured recreation at the nearby Eggescliffe School where community access would be available. In view of the open space on site not being suitable for adoption due to it being part of a way-leave, provision off site on Council maintained land will prevent the need to include the maintenance of the play area within the private long term management of the estate. The applicant has agreed to meet these provisions.

Ecology

65. The Environment Agency have highlighted that Great crested Newts are known to be within the area and have sought to highlight their protected status. The submitted ecological statement indicates that the site is of limited ecological value as a result of it being a mown grassed area are that mitigation should be undertaken into Great Crested Newts and nesting birds which would be achieved via appropriate exclusion netting and timing of works. In line with advice from Tees Valley Wildlife Trust, a condition is recommended to ensure compliance with the findings of the report which will include the developer gaining the appropriate licence from Natural England.

Archaeology

66. The site is made up of a modern dwelling, its garden area and a small field / paddock. Tees Archaeology have advised that there is no known archaeology within the area and has therefore raised no objection to the scheme. The former farmhouse was demolished as part of the development of the dwelling currently on site and in line with the advice of Tees Archaeology, there is no known archaeological significance associated with this site.

Other Matters

67. The Councils Environmental Health Officer has raised no objections to the development in principle although suggested a number of matters are addressed by condition in order to prevent undue impacts in a number of areas. Suggested conditions relate to limiting hours for demolition / construction works and deliveries to the construction site, restriction of open burning on the development site and dust suppression. These are all considered to be appropriate due to the nature of the scheme and conditions are recommended accordingly.
68. Northumbrian Water and Northern Gas Networks have made the council aware that they have apparatus running through the site and near to the site and that the developer needs to take account of these. Informatives are recommended to address this.
69. Core Strategy Policy CS3(8) indicates developments should be designed with secure by design in mind. The Police Architectural Liaison Officer has commented on the submitted details from a Secured by Design perspective which is a Police initiative to guide and encourage design and build of new homes and commercial premises to adopt crime prevention measures. The Police have indicated the existing crime patterns for the area and highlighted the importance of well laid out routes within the site, appropriate boundary treatments, lighting and natural surveillance. Within the site, the majority of areas are considered to be well laid out, having large public areas adjacent to and looked onto by

dwellings. Boundary treatments will be able to be provided to appropriate heights. Some of the points raised such as the provision of outdoor lighting are being detailed within an informative to allow the developer to better understand the benefits of such provisions without them being an absolute requirement of the permission.

70. Matters of Code Construction and renewables are dealt with by conditions as recommended in order to address requirements of Core Strategy Development Plan Policy CS3.
71. Objectors consider the proposal represents overdevelopment of the area when taking into account other developments such as Allens West and Uray Nook and that this is the last area of open space in the surrounding area. Whilst noted, housing is best provided in sustainable, urban locations and this proposal represents this, at a position with existing housing to the south, east and approved housing to the north and west. Retaining an agricultural field surrounded by housing in an urban location is considered to have limited benefit whilst the development includes notable amounts of open space within it and is considered to be a well laid out and modest scale of development.
72. Objectors have raised concerns over the ability to provide adequate school places and services such as dentists and doctors. Taking into account limited school places available a contribution has been included to provide additional school places where deemed necessary dependent on the timing for commencing the development. With regards to dentists and doctors, these are private provisions which it is anticipated will expand / contract their capacity within the general area depending on demand. This is not a matter which planning can influence in relation to development in an area where such uses exist.

Loss of Agricultural Land

73. Paragraph 112 of the NPPF states '*Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.*' Notwithstanding any agricultural classification of the land, this site is a small area of land in agricultural terms which is within the defined limits of development and which is surrounded by built development. In view of the limited scale of the site, surrounding constraints and the land being within the defined limits of development, it is considered that its loss would at worst have a negligible impact. As such, no up-to date site specific testing to establish the grade of the land has been requested.

CONCLUSION

74. The proposal is for 81 dwellings to be built in a sustainable urban location. The scheme includes the provision of 2 and 3 storey properties laid out around a central area of open space. The development makes adequate provision of access, parking and manoeuvring for vehicles and will mitigate its impact on the wider road network. The layout provides adequate private amenity space and inter-relationship between dwellings and should be able to be adequately landscaped to provide a quality environment. There should be no unduly adverse impacts on existing surrounding uses, occupiers or future occupiers of this scheme. Matters relating to drainage, ecology and other similar matters can adequately be dealt with by condition whilst affordable house, highway works and provision of off-site recreation provisions is dealt with by way of S106 Agreement.
75. It is recommended that advertisement consent be granted with Conditions for the reasons specified above

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

WARD AND WARD COUNCILLORS

Ward Eaglescliffe
Ward Councillor Councillor A L Lewis, Councillor Mrs M. Rigg, Councillor Phillip Dennis

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application.

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

The proposal would result in the development of a green field site in a residential / urban environment adjacent to the railway line. Adequate account has been taken in respect to noise, ecology and landscaping features as well as short term construction impacts. These along with impacts of traffic and other such matters are considered to raise no significant impacts for the surrounding area.

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 adjoining land and uses and have taken into account comments made.

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 in respect of community safety including the impact on highway safety and secure by design principles.

Background Papers:

The Town and Country Planning Act 1990.
National Planning Policy Framework
Stockton on Tees Local Plan Adopted Version June 1997
Core Strategy Development Plan Document March 2010
Stockton on Tees - SPD 6 – Planning Obligations
Stockton on Tees - SPD – Open Space, Recreation and Landscaping