

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

10 JUNE 2015

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

14/2024/OUT

**Stillington Social Club, Stillington, Stockton-on-Tees
Outline application for the erection of 20 no dwellings with associated access road
(demolition of the existing club)**

Expiry Date: 11 June 2015

SUMMARY

Outline planning permission is sought for a residential development of 20 dwellings on the site of Stillington Social Club. The site is made up of the Social Club, its associated car park and peripheral grassed areas. The application seeks permission only for the principle of development and the access with matters of Layout, Scale, Landscaping and Appearance, being reserved for future consideration.

The site lies outside of the defined limits of development where housing would not normally be supported however, the council is unable to demonstrate a deliverable 5 year housing supply and in accordance with the National Planning Policy Framework, the councils own housing policies within the Local Development Plan are unable to be afforded weight. The village is classed as a sustainable village within the councils villages study whilst the council have highlighted a need for rural affordable houses. The scheme will provide for affordable housing and in view of these matters, the principle of development on this site is acceptable.

The site is accessed off South Street, being the road leading into the village from the west. Existing dwellings lie to the north side of South Street and permission has been recently granted for a development of dwellings in close proximity, on the nearby allotment site. Open fields lie to the south and west of the site with a beck immediately adjacent to the southern boundary.

Objections from residents and the Parish Council revolve mainly round the impacts of additional traffic, the amount of development and the unsustainable nature of Stillington.

The scheme has demonstrated a suitable access is achievable as is the scale of development. The Environment Agency have accepted the scheme can mitigate Flood Risk.

The permission is required to contribute towards the provision of affordable housing, education places, off site public open space / recreation as well as a traffic calming feature for the entrance into the village. These form part of the Section 106 Agreement and Conditions recommended.

At the 22nd April 2015 Planning Committee Members resolved that they were minded to refuse planning permission, contrary to the recommendation of the planning officer, for the above

development on two grounds. The first was that the site was unsustainable in its location. The second was that the site had a poor access.

The Planning Development Services manager and Principal Solicitor agreed that the Protocol for Decisions Contrary to Officers Recommendation should be invoked due to their concerns that the reasons would not be sustainable at appeal and would place the council at risk of a costs award. The protocol allows a period of time for a more careful consideration of the proposed reasons for refusal by the Head of Economic Growth and Development Services, Corporate Director of Development and Neighbourhood Services and Director of Law & Democracy. The Protocol provides that in the event that the Head of Economic Growth and Development Services can support the reasons for refusal the refusal notice would be issued for the reasons given by members without further recourse to committee. If the Head of Economic Growth and Development Services cannot support the reasons for refusal the protocol provides that the application will be returned to planning committee with a report setting out the concerns regarding the reasons for refusal in full for members to consider before making the final determination of the application.

Given the change in membership of the committee since the matter was last considered the procedure under the protocol is being varied on this occasion to bring the full report back to committee to consider afresh but in the light of the officer's advice on the previously proposed reasons for refusal.

It must be pointed out that members are free to determine the application in any manner they see fit, including refusal should they still be so minded, remaining bound by planning legislation, national and local policy, as set out in the original report.

Upon returning to planning committee, planning and legal advice is provided to members to ensure they have all relevant information and advice before them before making the final determination and it is the intention of this report to provide this advice.

Planning advice on first reason for refusal put forward

Planning Committee considered Stillington to be an unsustainable location for residential development. On this point, officers advise that within the councils own study '*Planning the future of rural villages*' which was updated in 2014, that Stillington is sufficiently sustainable to allow new residential infill development, being the most sustainable village within Stockton Borough, having employment uses, a school, church, community centre, Public House, recreation area and shop amongst its services. Residential development has also been approved at two other locations within Stillington within the last 12 months which are of a greater scale to this development. This proposed development would provide adequate pedestrian links into the village and its associated services. The National Planning Policy Framework provides a presumption in favour of sustainable development (para's 11-16 and 49).

In view of these matters, officers consider there is no planning policy argument on matters of sustainability that would warrant the refusal of the application.

Planning advice on second reason for refusal put forward

Planning Committee considered the proposal to have an unsafe access arrangement. With regards to matters of the access, the proposed development would result in the reconfiguration of the existing access, it will improve the visibility splays above the standard required by guidance, it will provide a reduced gradient to the access into the site, it will provide 2m wide footways at the access and will result in the moving of the 30mph zone to include the site access. In view of these matters and the existing site access being outside of the 30mph zone where the speed limit is 60mph and having an existing use associated with it, officers consider this proposal represents a significant improvement to the existing situation and that the access is of a standard which meets

guidance. The Highways, Transport and Environment Manager is satisfied with the proposed arrangement.

In view of the above, officers consider there is no planning policy based argument on matters of the proposal having an unsafe access that would warrant the refusal of the application.

In summary, after careful consideration, it is your officers opinion that, unless members can provide strong evidence to substantiate the reasons for refusal, to rebut the sustainability assessment of Stillington Village or the technical appraisal of the safety of the proposed access by the highway authority, the merits of the Council's postulated reasons for refusal are unable to be justified and that they would be very unlikely to be defended successfully on appeal. Furthermore, were an appeal to be made, the Council would be at significant risk of an award of costs on the basis of unreasonable refusal judged by reference to the relevant policy set out in the Planning Practice Guidance

RECOMMENDATION

That planning application 14/2024/OUT be approved subject to the Section 106 Agreement being signed as detailed the Heads of Terms below by the 11th August 2015 or otherwise refused for lack of provisions of matters detailed within the Heads of Terms; and subject to the following planning conditions and informatives

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>
<i>01 Rev A (indicative)</i>	<i>2 Jan 2015</i>
<i>10</i>	<i>24th July 2015</i>

Reason: To define the consent.

02. Reserved Matters - Details

Approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

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

03. Reserved Matters - Time Period for submission of Reserved Matters

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

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

04. Period for Commencement of Development

The development hereby permitted shall be begun either before the expiration of four years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

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

05. Levels

The development hereby approved shall be built in accordance with a scheme of finished floor levels which has been submitted to and approved in writing by the Local Planning Authority prior to the development commencing on site. The scheme shall detail existing land level and levels of nearby properties as necessary as well as the finished floor levels of the proposed properties.

Reason: In order to prevent undue impact on residential properties and to ensure an acceptable form of development with details required before commencement due to the extensive works required to the existing land levels.

06. Retention of Landscaping

There shall be no removal of existing landscaping on the site until formal approval of the Local Planning Authority has been given in respect to the reserved matters. Thereafter, any removal of landscaping shall only be carried out in September and October.

Reason: In order to allow retention of existing landscaping on the site which is on the edge of the village adjacent to the open countryside in accordance with the requirements of Core Strategy Development Plan CS3(8) whilst prevent undue impacts on nesting birds and hedgehogs.

07. Flood Risk Matters

No housing of the development hereby approved shall be positioned closer to the adjacent watercourse than as detailed on the indicative site layout depicted in Appendix D of the Flood Risk Assessment (H76020-FRA-001) dated December 14:

The mitigation measures detailed within the Flood Risk Assessment (H76020-FRA-001) dated December 14 shall be fully implemented prior to occupation of the development hereby approved subject to any agreed timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with the general principles of the National Planning Policy Framework.

08. Construction Management Plan

The construction works associated with the development hereby approved shall be undertaken in accordance with a Construction Management Plan which has first been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include, but not be restricted to;

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

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

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

09. Renewables or Fabric First

Prior to the erection of the buildings a report shall be submitted to the Local Planning Authority 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.

10. Access – Approved

The access shall be implemented on site as detailed on Plan 01 Rev A received on the 2nd January 2015.

Reason: To define the consent

11. Affordable Housing

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

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

12. Construction Working Hours

No construction activity or deliveries shall take place except between the hours of 0800 and 1800 on Monday to Friday and 0900 and 1300 on Saturdays. There shall be no construction activity on Sundays or Bank Holidays.

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

13. No burning of waste

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.

14. Land Contamination Assessment

No development shall be commenced on site until the following has taken place and written agreement to these being carried out has been provided by the Local Planning Authority;

- a. An intrusive phase 2 investigation is carried out and the results are submitted in writing to the Local Planning Authority;
- b. Should any contamination be present then a scheme of mitigation be provided in writing to the Local Planning Authority;
- c. The development be undertaken in accordance with the approved scheme of mitigation.

Investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: In order to adequately address contamination within the site in accordance with the principles of the National Planning Policy Framework

15. Boundary Treatments

No development hereby approved shall be commenced on site until a scheme of boundary treatments has been submitted to and approved in writing by the local planning authority. The scheme shall detail all boundary details for the site including those dividing ownership boundaries within flood zones 2 and 3 adjacent to the southern site boundary. The development shall be undertaken in accordance with the approved boundary treatment scheme.

Reason: In order to ensure an appropriate form and quality of development in accordance with the requirements of Core Strategy development Plan Policy CS3(8).

16. Bat Survey and Mitigation Works

No demolition works shall take place to the building unless in accordance with a written scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the timing of demolition works, the method of demolition in respect to the areas of the building sensitive to being Bat Roosts and shall detail the presence of an appointed and suitably qualified ecologist during key stages of the demolition works.

The development, including demolition, shall be undertaken in accordance with a scheme of mitigation which has first been submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall be based on the detailed site layout and reserved matters details yet to be approved.

All development works and demolition works shall be carried out in strict accordance with the demolition scheme and mitigation scheme details required by this condition.

Reason: In order to ensure there is no significant risks to protected species (bats) in accordance with the requirement of the National Planning Policy Framework.

17. Foul and Surface Water Discharge

No development hereby approved shall be commenced on site until a scheme of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of surface water flow paths entering the site along with mitigation measures to ensure the proposed surface water drainage is not compromised by off-site flows.

The surface water discharge rates from the site will be restricted to the existing greenfield runoff rates (Qbar value) with sufficient storage within the site system to accommodate a 1 in 30 year storm. The design shall also ensure that all subsequent storm water events up to and including the 1 in 100 year event surcharging the system can be stored on site without risk to people or property and without flowing into drains or a watercourse. The flow of flood

waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should be provided.

The development shall be undertaken in accordance with the approved schemes.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area and to achieve an adequate scheme of foul drainage having regard to the need for the finished site levels to facilitate gravitational flow.

18. Removal of PD Rights – All Householder

Notwithstanding the provisions of classes A, B, C, D& E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (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.

19. Removal of PD Rights – Fences

Notwithstanding the provisions of class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), there shall be no walls, fences, railings or other form of boundary enclosures erected without the written approval of the Local Planning Authority.

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

INFORMATIVES

Informative 1: Working practice

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application, in particular in respect to matters associated with Flood Risk and the indicative site layout, through gaining additional information in respect to these matters and by the identification and imposition of appropriate planning conditions

Informative 2: Contact Northern Gas Networks

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

Sandra Collett

Network Records Assistant

0845 6340508 (option 6)

Informative 3: Trees and landscaping

The reserved matters will need to adequately survey existing trees and detail new provision as well as suitable protection of existing trees.

Informative 4 – Welcome Packs – Sustainability

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

HEADS OF TERMS

Precautionary Education Contribution to provide primary/secondary school places should they be required at the commencement of development and subject to surplus places at the William Cassidi primary school and the North Shore Academy.

Highways Contribution of £5,000 for traffic calming works on South Street

Open Space Contribution the sum of £34,860 (thirty four thousand, eight hundred and sixty pounds) for improvements to Stillington Forest Park, a MUGA within Stillington or such other open space, recreation or landscaping schemes as deemed appropriate by the Council to mitigate the lack of open space, recreation facilities or landscaping on the Site

BACKGROUND

1. No relevant planning history for the site

SITE AND SURROUNDINGS

2. The site is approximately 0.72 hectare in area and rectangular in shape, currently occupied by a flat roofed 1 & 2 storey building built into the sloping contours of the site. The building houses the Former Stillington Social Club together with managers accommodation. The remainder of the site is occupied by open grassland & a large car parking area, split over 2 levels and accessed by a steep macadam road, giving vehicular & pedestrian access directly onto South Street.
3. To the front South Street boundary, the site is enclosed by mature mixed hedging with a grass verge and macadam footway giving access to the village centre. To the west the site is bounded by high mature hedging with open arable land beyond. To the east, high hedges bound a private lane which accesses adjacent business premises. To the south the boundary is formed by a slope down to Bishopton Beck which has a number of mature trees on its far bank screening views across open pasture land.

PROPOSAL

4. Outline planning permission is sought for the redevelopment of an existing social club site in Stillington to provide for the demolition of the existing social club building and the erection of 20 dwellings with associated access. The application has been submitted seeking detailed permission for the access with matters of Appearance, landscaping, layout and scale being reserved matters which would require further applications to be submitted to agree these details.

The application has been submitted with supporting documents including;

Bat Survey

Flood Risk Assessment

Phase 1 Land survey

Transport assessment

Viability Assessment for the existing social club

5. The indicative site layout plan details a re-worked access to that currently on site but one which is in the same place with a small cul de sac internal to the site with some split level properties facing South Street and 2 storey properties elsewhere within the site. The submission has sought to detail the existing land levels which change by approximately 3m from the road level to the level at the top of the bank associated with the beck to the south of the site.
6. The application was initially submitted for the erection of 23 dwellings although reduced to 20 following further consideration of site constraints.

CONSULTATIONS

The following Consultations were notified and any comments received are set out below:-

Environmental Health Unit

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

The phase 1 investigation found limited risk of contamination as a result of primary sources and previous site use, and recommends an intrusive phase 2 investigation is carried out to confirm contamination is not present. I would therefore advise an appropriate condition is imposed;

It is also recommended a condition is imposed in respect to construction working hours.

Northern Gas Networks

Standard comments about apparatus in the area and request for the developer to be made aware.

Spatial Plans Manager

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 application site is outside the limits to development for Stillington as designated on the 1997 Local Plan Proposals Map. Village development limits have not been altered on the Core Strategy Strategic Diagram.

You will also be aware that the Council consulted on the Regeneration and Environment LDD preferred options document and associated documents including the policies map in the summer of 2012. The policies map shows that the site is designated as outside the limits to development in the emerging LDD.

The National Planning Policy Framework (NPPF) The NPPF is a significant material consideration in the determination of planning applications. Paragraph 14 states that at the heart of the NPPF is the presumption in favour of sustainable development which is a 'golden thread running through both plan-making and decision-taking'. For decision-making it means:

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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

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

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

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

Achieving sustainable development and core planning principles

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

The NPPF core planning principles include making every effort to ‘identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.’ The 1st bullet point of NPPF paragraph 47 states that to boost significantly the supply of housing local plans should ‘use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period’. The proposal would assist in addressing the identified need for housing and thus fulfil both a social and an economic role.

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

The supply of deliverable housing land

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

Relationship to the adopted Development Plan

Limits to development

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

The Spatial Strategy

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

Sustainable transport and travel

The proposal will need to be assessed in relation to Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel. Point 1 of the policy states ‘Accessibility will be improved and transport choices widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthy lifestyles’. It is noted in this context that although the site is located just outside the limit to development for Stillington, it is understood that it is not currently well connected to the settlement. It will be for the case officer to determine whether the proposal achieves adequate ‘connectivity’.

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’.

Affordable Housing Provision

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

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

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

Rural Affordable Housing Provision

Point 9 of Policy CS8 states: ‘The requirement for affordable housing in the rural parts of the Borough will be identified through detailed assessments of rural housing need. The requirement will be met through the delivery of a ‘rural exception’ site or sites for people in identified housing need with a local connection. These homes will be affordable in perpetuity.’ The supporting text for the policy states that a rural exception site is ‘specifically for affordable housing’. The proposal is for a mix of market and affordable housing. Therefore the proposal is contrary to Policy CS8.9. However, Policy CS8.9 pre-dates the NPPF. The NPPF gives Local Authorities the power to allow ‘some market housing’ on rural exception sites to ‘facilitate the provision of significant additional affordable housing to meet local needs’.

Relationship to the NPPF and the emerging Development Plan

The Regeneration and Environment Preferred Options

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

Policy H3 – Housing Mix and Affordable Housing Provision

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

The weight to be attached to emerging policies

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

Relationship to the evidence base

The 2012 Tees Valley Strategic Housing Market Assessment

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

The 2013 Stockton-on-Tees Rural Housing Needs Assessment

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

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

- Analysis of market demand would suggest a 5 year shortfall of 107 open market dwellings across the Rural Area
- The research has evidenced that there is a need for affordable housing across the rural area of Stockton-on-Tees. An annual shortfall of around 27 dwellings each year has been calculated which equates to 132 over the 5 year period 2013/14 to 2017/18.
- Specifically in relation to the Stillington and Whitton parish group, the study shows an annual net affordable housing shortfall of 20 dwellings.

The proposal would deliver 4 affordable homes. This represents affordable housing provision of 17%. This is a significant material consideration in support of the application.

The 2012 Planning the Future of Rural Villages Update

The site is located adjacent to the village of Stillington which has numerous services and facilities located within the village and two hourly bus services to the conurbation enabling additional services and facilities to be accessed by public transport. In 2008 the Planning the Future of Rural Villages in Stockton-on-Tees Borough Report was published. The purpose of the report was to underpin and support policy development. The study establishes the levels of facilities available within the Borough's rural villages and assesses their sustainability. The outlying villages were grouped into tiers based on their sustainability, with tier 1 being the most sustainable and tier 4 being the least. Only those villages falling within either tier 1 or 2 have been considered to be sustainable enough to accommodate further infill housing. Stillington Village is identified as a tier 1 village within the latest update of the study undertaken in 2012.

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

The need for market housing in Stillington

The NPPF provides local planning authorities with the opportunity to consider whether village extensions would contribute to meeting rural housing need. However, the Government is of the view that local authorities are best placed to understand the needs of their own areas. The villages in the Borough are close to the conurbation; that is to say the rural part of the Borough is not a 'deeply' rural area.

Other material considerations

The proposal involves the loss of a community facility. However, it is understood that the Social Club is no longer functional. The case officer will need to assess this.

Summarising comments

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

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

The benefits of the application within a housing context are that it would boost significantly the supply of housing; if implementation begins within a five year timeframe it would make a contribution towards the five year supply of housing and the provision of affordable housing would contribute to addressing the need for affordable housing in Stillington demonstrated by the 2013 Rural Housing Needs Assessment. Boosting the supply of housing is a key national priority.

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

- 'Saved' Local Plan Policy EN13
- Point 1 of Core Strategy Policy 1
- Point 9 of Core Strategy Policy 8

The case officer will need to consider whether the proposal is contrary to the following adopted development plan policy:

- Point 1 of Core Strategy Policy 2
- Point 8 of Core Strategy Policy 3

Policy CS8.9 restricts rural exception sites to affordable housing. However, the weight that can be attributed to this is reduced by the NPPF emphasis on meeting in full the objectively assessed need for market and affordable housing and by the NPPF allowing local authorities to consider using market housing to facilitate the delivery of affordable housing. A local need has clearly been identified by the 2013 Rural Housing Needs Assessment.

The Spatial Planning team has not identified any adverse impacts that outweigh the benefits of the proposal. However, this is subject to the applicant being able to demonstrate that the proposed development can be satisfactorily incorporated into the wider Stillington settlement and the case officer being satisfied that the Social Club is no longer viable as a functioning community asset.

Private Sector Housing

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

Head of Housing

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

2013 identified an annual affordable housing need in rural locations within the borough of 132 units, again with a 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.

In line with the need identified in the SHMA 2012 and Policy CS8 as outlined above there is a requirement for between 15% and 20% of the total housing numbers to be provided as affordable housing across the Borough.

It is noted from the Design and Access Statement that the applicant is proposing 4 of the total scheme units will be affordable, which equates to 17%.

The above is in line with the Council's borough-wide policy target range set out in CS8 and the proposal would contribute towards the affordable housing need in Stillington highlighted in the Strategic Rural Housing Needs Assessment (2013), which identified a requirement of 20 new affordable homes over the 5 year period 2013 - 2018, particularly 1 and 3+ bedroomed general needs housing and 2 bedroomed older persons housing. In light of this Housing Services would have no objections to this application.

A worked example based on a requirement for 17% or 4 affordable units: -

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

Proportion	No. of units	Tenure
70%	3 units	Rent
30%	1 units	Intermediate Tenure
100%	4 units	Total

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

Size	Proportion	No. of units
1/2 bed	91%	4 units
3/4 bed	9%	0 unit
Total	100%	4 units

Tenure for the above would then be split as follows:

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

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. 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.

Space standards - the Council would expect all affordable housing units to comply with current Homes and Communities Agency space/quality standards and we are pleased to note that the applicant is committed to delivering all dwellings to meet Code for Sustainable Homes Level 4 standards.

Stockton Police Station

Legislation and National Planning Guidance

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

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

This can be provided if required

Access and Movement

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

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

Structure

The structure of a development is in a way it is laid out, to minimise conflict between different uses and avoids creating "dead spaces" that can be under used or ill cared for.

Appears to meet this requirement subject to proposed front boundary treatment

Surveillance

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

Security Lighting

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

Ownership

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

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

Physical Protection

Crime and anti-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 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

Vehicle access doors must be certified to LPS1175 Issue 7:2010 Security Rating 1 or STS202 Issue3:2011 Burglary Rating 1 alternatively doors not certified to one of the above would be deemed satisfactory if a garage door defender security product is fitted to Sold Secure Bronze level or above.

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.

Highways Transport and Environment Manager

General Summary

Subject to the comments below does not have an objection to the principle of the development of the site for housing.

Highways Comments

Development Layout

The proposed revised site plan is shown on drawing reference AJR:13/132 01 rev A (Proposed Outline Site Layout). It is noted that the number of dwellings has been reduced from 23 to 20 in order to address previous concerns raised over the site layout and in particular drive lengths.

The access road, which would be located at the same point as the existing access, would be 4.8m wide with a 2.0m wide footway on both sides and the gradient would be altered to 1:20. The access road would connect onto 2 culs-de sac which would be formed as 8.2m wide shared surfaces (4.2m carriageway with 2.0m wide footways).

The application is in outline only with all matters except access reserved. The proposed plan is therefore indicative only and the detailed design of the development should be designed and constructed in accordance with the Councils Design Guide and Specification and in accordance with Manual for Streets (Department for Transport, 2007) guidance.

Car and cycle parking for each dwelling would need to be in accordance with Supplementary Planning Document 3: Parking Provision for New Developments, 2011. Each incurtilage parking space should be 6m in length to ensure that parked cars do not overhang the footway. In accordance with the parking standards, a garage will only be counted as a parking space if it meets the minimum internal dimensions of 6m x 3m. The standards set out in SDP3 are achieved on the current layout.

It is suggested that the private drive shown on the existing layout is removed and that the properties served by this are accessed directly from the main access road.

Any Reserved Matters application for the detailed elements of the site would also need to be supported by information on refuse collection and storage along with autotracking of large vehicles around the site. A Construction Management Plan would be required in order to ensure that construction works do not have a detrimental impact on the highway.

The applicant would need to enter into a Section 38 Agreement for the highway and footpaths which would become highway maintainable at the public expense.

Traffic Impact

The applicant has submitted a basic Transport Statement which addresses the impact of the proposed development on the local highway network.

The trip generation of the proposed development has been ascertained using average trip rates of 6 per unit. This method, when compared to other developments within Stillington, gives a greater trip generation than that from TRICS, a national trip generation database. The trip rates are therefore considered to be acceptable.

Whilst it is accepted that the local road network experiences peaks in traffic flow, the additional traffic generated by the proposed development would not add significantly to the traffic flow to warrant a highway objection.

Sustainable Links

Bus stops are located on Morrison Street and the Transport Statement outlines that potential residents would have access to Service 6. It should be noted that Service 6 is being removed from the 20th July 2014. The site is located on the edge of an established residential estate, within close proximity to the centre of Stillington which has been classified as a Tier 1 village, and therefore it does benefit from existing public transport connections and local facilities.

The quantum of development on this site does not warrant a Travel Plan. However, it is recommended that the development provides welcome packs for new occupants which should provide details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour amongst residents from the outset of the development.

Summary

In terms of the National Planning Policy Framework and the capacity of the local highway, the scale of the development and the additional traffic associated with this site would not be sufficiently harmful to make the planning proposal unacceptable in transport terms. Therefore there would be no highway objection to the development.

Landscape & Visual Comments

Regarding the revised layout shown on drawing reference AJR:13/132 01 rev A (Proposed Outline Site Layout) the following comments are made;

Although there is one less dwelling proposed in the southern part of the site other dwellings remain in the same location, As the application being considered is outline with all matters reserved except for means of access the impact of shading on the site layout cannot be assessed at this stage. It is therefore only possible at this stage to state that there *may* be an issue with shading caused by the existing trees. Should the current outline application be approved, this would be considered as part of any subsequent reserved matters application.

A pumping station has been proposed within the centre of the site located within a small area of open space. This is not considered a satisfactory location for a pumping station in visual terms, being surrounded by housing and a preferred location would be at the southern end of the western cul de sac, locating the station away from view as much as possible. As mentioned in the previous memo the small open space could then be removed from the scheme and the houses to the south moved north into the site, which would help to solve some the shading issues highlighted above. It is noted that no useable open space is provided within the scheme and therefore an offsite contribution to open space within the village will need to be considered.

Apart from the northern site entrance and a gap in the south eastern corner, the site is enclosed by hedging consisting mainly of hawthorn that reflects the rural character of the site. Part of the northern boundary hedge would have to be removed to create site lines for the new site entrance, but there would not be an objection to this provided a new hawthorn mix hedge was replanted. The area for this replanting shown on the site layout plan would be acceptable. The hedges on the western and eastern site boundaries appear to lie outside the settlement boundary, but currently soften views of the site notably the western hedge. The rear gardens backing onto these hedges are not very wide, ranging from 5-9m in width, so therefore there will be shade issues for the houses. Shadow drawings should be produced to assess the impact of shading on the 8 no. properties that back on to the western and eastern boundary hedges. The boundary treatments for these properties that face the existing hedges should consist of a new hedge comprising either a hawthorn mix or beech hedge to supplement the existing ones. To further soften views of the development from South Road the new hedge planting on the western boundary should allow for some small native hedgerow trees within it, such as Field Maple or Rowan. These should be sited next to the garages to minimise shading of the houses. A new hawthorn mix or beech hedge should be provided in the south east corner of the site to soften views of the buildings on the adjacent site.

The number of smaller properties on the northern site boundary has been reduced by one on each side of the entrance road. A footpath access has also been created for each house direct on to South Street. This has allowed for a greater amount of amenity garden space for each house, although space is still limited especially for the middle dwellings. Deleting the 2 no. parking bays just west of the existing Horse chestnut trees allows for the redesign of the 3 no. housing plots to the east of the entrance road, which would help to create more garden space. The new hawthorn mix hedge should be provided in sections between the new access footpaths and should form part of the residential enclosure for the houses.

Suggested condition wording including hard and soft landscape and enclosure is included in the informative section below.

Environmental Policy

Final confirmation of Code for Sustainable homes Level 4 and 10% embedded renewable energy is required.

Flood Risk Management

As the application being considered is outline with all matters reserved except for means of access, the information required can be dealt with at reserved matters stage and that the condition below is sufficient to enable approval of the final drainage solution prior to the development commencing on site and the details requested should be set out in any approval notice issued as an Informative.

Condition

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

The discharge rates from the site will be restricted to the existing greenfield runoff rates (Qbar value) with sufficient storage within the site system to accommodate a 1 in 30 year storm. The design shall also ensure that all subsequent storm water events up to and including the 1 in 100 year event surcharging the system can be stored on site without risk to people or property and without flowing into drains or a watercourse. The flow of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should be provided

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

Highways Transport and Environment Manager – Additional Comments

The Highways Transport and Environment Manager has sought to clarify points in their initial comments, specifically in respect to the following;

On page 36 of 98 within the main report it was stated that '*there will be an issue with shading caused by the existing trees*' and that additional information is required in order to fully assess the impact on the site layout. As the application being considered is outline with all matters reserved except for means of access the impact of shading on the site layout cannot be assessed at this stage. It is therefore only possible at this stage to state that there *may* be an issue with shading caused by the existing trees. Should the current outline application be approved, this would be considered as part of any subsequent reserved matters application.

In respect to Flood Risk Management, the original memo stated that '*the revised flood risk assessment, issued 24/12/14, does not provide sufficient information to enable approval of*

this application'. A list of information was then set out in order to approve the surface water drainage solution.

The Highways Transport and Environment Manager has indicated that the initial comments could be mis-interpreted and has sought to confirm that, as the application being considered is outline with all matters reserved except for means of access, the information required on these points can be dealt with at reserved matters stage and that the condition as included in the main report is sufficient to enable approval of the final drainage solution prior to the development commencing on site and the details requested should be set out in any approval notice issued as an Informative.

The Environment Agency

Following submission and review of the Hydraulic Model to accompany the Flood Risk Assessment (FRA), we wish to withdraw our previous objection to the proposed development.

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

Condition

The development permitted by this planning permission shall only be carried out in accordance with the layout depicted in Appendix D of the Flood Risk Assessment (H76020-FRA-001) dated December 14:

The layout should ensure that no housing is located any closer to the watercourse than currently depicted in Drawing H76010-D-004: proposed site layout, proposed impermeable area dated December 14.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To reduce the risk of flooding to the proposed development and future users.

Surface Water – Advice to LPA

As the site area is below 1 hectare, the surface water discharge rates should be agreed with the Lead Local Flood Authority (Stockton Borough Council).

Northumbrian Water Limited

Following the submission of a revised flood risk assessment. I can confirm that we still require the use of the condition as requested on my original response dated 1st August 2014. The developer has not yet contacted NWL for a pre-development enquiry for this site. As a result, we have not carried out the modelling required to check that the existing network is able to accommodate any flows. Until the developer contacts us to go through this process, we are unable to remove the condition.

Stillington and Whitton Parish Council

The Members of the Parish Council would like to object to this planning application. This site is known to flood beyond the extent of the floodplain shown on the planning documents. The Stillington Social Club has experienced flooding in recent years and the Members of the Parish Council would hate to feel that people are tempted to live in a property in this area only to be faced with major problems in the years to come. Flooding is

thought to come from the Beck and also from surface run off from the rest of the Village which naturally flows to this site. To date there do not appear to be any comments from the Environment Agency about this application. The Parish Council feel that the Planning Officer should push for a response from the Environment Agency about development on this site. A small amount of banking is detailed on the application. Members feel that this would be inadequate and are also concerned that if remedial action was taken to prevent flooding on this site, flooding problems would simply move downstream and could affect houses in other areas instead.

Local people have voiced various objections to this planning application. They object to the loss of a community facility. The current owner is known to have managed successful similar businesses in other areas and people feel that this should have enabled him to make this club more successful. There is an error on design and access statement, the club was in financial difficulties when it was sold in 2011 but it had not been re-possessed by the Brewery as stated in the document.

Two planning applications for housing estates have recently been submitted for a housing development at the other end of Stillington and another development on the allotment site opposite this site. Due to the pressure for new housing in the Borough and the need for some additional housing in this area, particularly affordable housing, Members of the Parish Council have not objected to the principle of housing being built on these two sites.

However Members feel that if the other applications are approved this will provide plenty of additional housing for this Parish and feel that this application for the Social Club site is unnecessary and will increase the size of the Village too much in too short a space of time.

The land involved in this application has not been involved in the formal Strategic Housing Land Availability Assessment that has been applied to the other sites. The affordable housing need in Stillington highlighted in the Strategic Rural Housing Needs Assessment (2013), identifies a requirement of 20 new affordable homes over the 5 year period 2013 - 2018. If 39 affordable houses are built on the allotment site in Stillington this will provide more than the figure identified and there will be no need for the additional units that would be provided by this application. When considering the three sites in Stillington that are currently affected by planning applications the Members of the Parish Council consider that this is the least suitable site for development and that the two other sites will provide more than enough additional properties for the area.

Regarding the transport statement - people can cycle in this area, but there are no safe cycling routes in the Parish or the surrounding area. Most parents consider that the local roads are not safe to cycle on with their children; many adults would not consider cycling due to the layout of the roads and the speed of the cars using them. There is an hourly bus service to Stockton but due to the withdrawal of subsidies for bus services this service is running for a trial period and there is no guarantee that it will continue in the long term. There is no evening or Sunday bus service to the Parish.

Members of the Parish Council are concerned that if this application and both of the other proposed planning applications for new housing are approved, the infrastructure in the area to deal with sewage and water run-off in times of heavy rain may not be able to cope with the additional pressure that these developments bring. There are already problems in areas of the Village with flooding and the Councillors would like to be assured that the Stockton Borough Council Planning and Highways departments, the Environment Agency and Northumbrian Water have assessed at the whole area and will make sure that any improvements that are considered necessary are incorporated into any future development plans. Some of the current problems affect the areas covered by this planning application. Members of the Parish Council would like to see these issues addressed before any additional building work is considered in the Parish as the extra development is likely to increase the scale of the problems.

Stillington has grown significantly in the last twenty years and car use by residents has increased in that time also. There are approximately 1200 residents in the Parish and another 800 people coming in and out of the industrial estate every day. The majority of these people use cars as their main form of transport. There are also numerous heavy

goods vehicles travelling to and from and through the Parish every day. The Parish Council feel that with potentially nearly another 100 properties being built in the Parish - as detailed in the other recent planning applications - and an additional 150 - 200 cars travelling in and out of the area on a daily basis this is already overloading the highway network in the area at peak times. Members feel that the addition of a third new housing estate is just asking too much from the residents who already have to live and work with the existing road network.

Stillington And Whitton Parish Council

The Members of the Parish Council discussed the revisions to this application at their meeting on 7th October and Members still object to the plans.

Regarding the surface water drainage, the calculations do not appear to take into account the significant amount of surface water that runs onto this site from West Street, South Avenue and the main road that runs past the site. It only deals with the run off from the properties and infrastructure that will be built on the site. As such the measures proposed may be inadequate for the site and excessive surface water during periods of heavy rain could enter properties.

Also, as stated in our previous objection, this site is known to flood beyond the extent of the floodplain shown on the planning documents on a fairly regular basis. Members do not feel that the measures proposed to prevent the properties from flooding are sufficient for this site. The Workingman's Club, which is located outside of the flood zone 2 boundary line has flooded in recent years and members are concerned that properties built here would be affected by flooding also.

The Members of the Parish Council discussed the recent addition of the flood risk assessment to this application at their meeting on 6th January and Members still object to the plans.

The Parish Councillors feel that the addition of this estate to Stillington is over development of the Village. Since the earlier objections to this application were submitted by the Parish Council, three separate planning applications for a total of 97 new houses in the Parish have been approved. When these properties are built the numbers of houses in the Parish will increase by nearly 20% in a very short space of time. This is in addition to the other residential developments that have been built in the Parish in recent years. Members of the Parish Council consider that even if the Environment Agency and Planning Committee agree that the current or future proposals to prevent flooding to properties on this site (and further along the catchment) are sufficient, this site should remain undeveloped for residential property as the infrastructure of the Parish - particularly with regard to drainage and highways - will struggle to cope with the increased numbers of residents.

While a condition of one of the approved planning applications deals to some extent with problems that will be generated on the roads adjacent to the site (development of a 20mph zone near William Cassidi School), no improvements are proposed for the wider road network in the area. Members of the Parish Council have stated in other correspondence how they feel that the increase in new properties, the majority of which will have at least one and often two cars, combined with recent and likely future expansion at the Stillington Industrial Estate, will lead to more problems on the local roads - where accidents, fortunately mainly minor to date - are a regular occurrence. There is already a build up of traffic at junctions at peak times - at Grindon Lane Ends/A177 for example - and further development will only increase the current problems. Speeding traffic is already a problem in our villages and the numbers of additional cars and residents that will come with the developments already approved will undoubtedly add to this problem. Members feel that no further developments should be permitted in the Parish until general improvements are made to the road network in the area to ensure that the risk of road accidents is minimised and additional traffic calming measures have been approved and funding for these measures is secured.

PUBLICITY

Neighbours were notified and comments received from 2, 3, 6, 7, 8, South Avenue, 2, 8, 13, 16 South Street Stillington

The objections and concerns are summarised below:-

Objection as the road is already like a race track, the ground is low and near to the beck, the land floods, the amenities of the village are inadequate, the sewerage is inadequate and the club is at the height it is because it was not allowed to be built any higher.

Objections in respect to the capacity of Stillington to take more traffic, in respect to existing problems relating to traffic speed and in relation to the steep access required to access this site.

Serious Concerns that the current access to the club car park has always been very dangerous and totally in-accessible during winter weather, even with the proposed new gradient cars will not get in or out of this development

Concerns about wildlife on the site and the loss of usable space for the wildlife have highlighted

There are no safe cycling routes from Stillington.

This plan will bring over subscribing of houses within the Stillington village, impacting on the local services and amenities, such as doctors and schools which are currently over-stretched.

Local amenities have been reduced by the council and will not be able to meet the community's needs (e.g. bus services, schools, dentistry, healthcare, after-school/youth amenities).

Reference is made to a number of fatalities on the roads not contained in the Road report

Do not think the area is suitable for the three story buildings

Will spoil the view from existing properties,

There are already enough approvals in the area.

PLANNING POLICY

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the

development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

National Planning Policy Framework

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

For decision-taking this means:

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

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

Saved Policy EN13 of the adopted Stockton on Tees Local Plan

- Development outside the limits to development may be permitted where:
- It is necessary for a farming or forestry operation; or
- It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or
- In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:
- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or
- (v) It is a small scale facility for tourism.

Core Strategy Policy 1 (CS1) - The Spatial Strategy

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

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

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

The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.

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

A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in

the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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

Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.

- Further guidance will be set out in a new Supplementary Planning Document.

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:

- The Tees Valley Metro;
- The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
- 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
- Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.

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

- In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;
- 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
- To support sustainable development in Ingleby Barwick.

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

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

This transport strategy will be underpinned by partnership working with the Highways Agency, Network Rail, other public transport providers, the Port Authority, and neighbouring

Local Authorities to improve accessibility within and beyond the Borough, to develop a sustainable

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

- Housing Sub Area Approximate number of dwellings (net)
- Core Area 500 - 700
- Stockton 300 - 400
- Billingham 50 - 100
- Yarm, Eaglescliffe and Preston 50 - 100

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

- Housing Sub Area Approximate number of dwellings (net)
- Core Area 450 - 550
- Stockton 100 - 200

Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.

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

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

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

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

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

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

Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per

hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

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

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

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

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

Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.

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

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

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

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

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

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

In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and

Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

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

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

- Strategic gaps between the conurbation and the surrounding towns and villages, and between Eaglescliffe and Middleton St George.
- Green wedges within the conurbation, including:
 - _ River Tees Valley from Surtees Bridge, Stockton to Yarm;
 - _ Leven Valley between Yarm and Ingleby Barwick;
 - _ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
 - _ Stainsby Beck Valley, Thornaby;
 - _ Billingham Beck Valley;
 - _ Between North Billingham and Cowpen Lane Industrial Estate.
- iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

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

MATERIAL PLANNING CONSIDERATIONS

7. The proposal relates to the redevelopment of the social club site. The submission indicates that the current applicant purchased the Social Club in 2011 after it was repossessed by the Brewery and that despite numerous attempts to increase its viability it finally closed its doors in early 2012. It is indicated that since this time the owner has considered a number of alternative uses for the current building. Whilst the club may have represented a community facility, in view of the submission details it is considered that its loss would not be contrary to planning policy.
8. The main material planning considerations in relation to this application are the principle of the development in relation to approved Local and National Planning policy, access and highway safety, affordable housing requirement, flood risk, drainage, land contamination and ecology.

Principle of Development

9. The proposed development is located on an unallocated site out-with the residential development limits for Stillington, and as such is contrary to Local Development Plan Policy which guides the location of new housing and which prevents certain development types outside of the defined limits of development. Notwithstanding this, the National Planning Policy Framework (NPPF) advises that Development Plan Policies for housing provisions should be considered as being out of date in instances where the authority cannot demonstrate a deliverable 5 year supply of housing. Stockton can only currently demonstrate a 4.94 year deliverable supply of housing. As such no weight can be reasonably afforded to the housing related policies within the development plan.
10. Emerging Strategic Policy SP2 '*Housing Spatial Strategy*' provides a site selection hierarchy for new residential development which places sustainability at its heart. This emerging policy prioritises sites in the order of Core area sites, The wider conurbation, Adjacent to the conurbation, New sustainable settlements and Village sites being last. Whilst noted, this is an emerging policy and there has already been significant recent permissions on some of the locations which would be considered as being a higher priority site within the emerging policy. Further to this, the council has undertaken a study which is aimed at planning the future of the Boroughs rural villages. Within that study, Stillington is classed as a Tier 1 village which is considered to be a sustainable location for housing development and where infill development is considered to be appropriate. Whilst this scheme goes beyond what would normally be considered to be infill development, given the presumption in favour of development within the NPPF, the need for housing, this site being away from the other recently approved sites to the south of the Borough and in a sustainable village where there is employment, a school, community centre and recreational opportunities, the principle of residential development in Stillington is considered to be acceptable.

11. It is accepted that residents in Stillington will have a reliance on the private motor car and on public transport. However, the village remains to have a number of provisions assisting with sustainability and additional development may assist with securing the longer term future of such services. The Built and Natural Environment Manager has recommended that the development provides welcome packs for new occupants which should provide details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour amongst residents from the outset of the development and an informative has been recommended to address this matter.

Access and highway related matters

12. The application has been submitted seeking detailed approval for the access into the site and consideration is therefore required of the highway related impacts of traffic associated with the scheme on the wider area as well as of the ability to provide a suitable access. The Transport Statement submitted indicates that the site has good links via the A689 to the A1 and the A19 as well as into Stockton. It further indicates that the club attracted large numbers to regular functions at its peak and has hard standing parking for 42 cars. The proposed development indicatively details the erection of 20 dwellings (reduced from 23 as initially submitted) on the site in a mix of 2, 3 & 4 bedrooomed units which would generate a parking requirement (based on the indicative property sizes) of 48 spaces.
13. The submission advises that works would be done to create footpath links and sightlines and replacement hedging along the roadside to allow the sight lines to function and to further enhance the safety of the site entrance it is also proposed to extend the current 30mph speed limit to a point west of the entrance.
14. This road layout will allow full vehicular servicing of the development by both delivery and refuse vehicles, all being able to fully access and exit the development in a forward direction. Provision will be made within each dwelling for cycle parking and general storage by the provision of a secure shed in the rear garden, all of which complies fully with the requirements of SPD 3
- 15 The Highways Transport and Environment Manager has accepted the traffic levels taking into account the site already having an established use which would generate traffic in its own right. With regards to traffic speeds, the S106 Agreement requires provision towards traffic calming works on the road into Stillington (near to the access) which will serve to reduce traffic speeds in the immediate vicinity of the access, thereby adequately providing for this revised access onto the highway. The access into the site has a gradient of 1 in 20 which is considered to be acceptable in highway design terms. To prevent ambiguity, a condition is recommended to clarify approval of the access as detailed on the plan showing the indicative layout.
- 16 With regards to lack of cycle links to the wider area, although there are no formal cycling lanes which connect the village to larger urban areas, the village remains to be considered a sustainable location for residential development in view of other services and provisions a there is insufficient demand from this scheme to justify cycle links to other urban areas

Affordable Housing

- 17 The applicant has indicated that 4 units would be provided as affordable and a condition is imposed in to achieve compliance with the councils policy requirement.

Flood Risk

- 18 The application has been submitted with a Flood Risk Assessment which details that the site slopes from a high point of 40.00AOD at the kerb edge of Bishopton Road/South Street on its northern boundary to 36.00 AOD on its southern edge where it is bounded by Bishopton Beck which runs from its source near Sadberge to its convergence with the River

Tees at Newport. The submission indicates that the becks normal water level is around 33.50 AOD which is 2.5m below the lowest point of the main part of the application site and that there is a large natural agricultural flood plain of open fields to the south of the beck which is at a level of 34.50 AOD which is 1.5m below the lowest level of the main part of the application site.

- 19 The submission indicates that a small area of the southern edge of the site lies within Flood Zone 3 with an even smaller area within floor zone 2 , this being an area of banking leading into the beck. The submission indicates that the proposal is to allow the majority of the area currently within flood zones 2 & 3 to remain at the current datum levels and continue to be subjected to current levels of probability/risk. It is indicated that these areas would not form part of the recognised garden areas of the properties but would fall within the ownership of these plots. Boundary treatments would need to be considered to address this matter and would be dealt with at reserved matters stage.
- 20 The Parish Council and the public have made objections in relation to flood risk and existing flooding problems within the village. The Environment Agency initially objected to the application based on the flood risk assessment, however, additional information has now been submitted which the Environment Agency have accepted and their objection has been withdrawn subject to properties being no closer to the water course than as shown on the indicative layout plan. A suitable condition has been recommended.

Drainage

- 21 Additional details of both Foul and surface water are required and conditions are recommended to achieve these details which will also take account of overland flows of surface water entering the site. As part of this, it is anticipated that some on site underground attenuation of surface water will be required as well as a foul water pumping station. Northumbrian Water and the Built and Natural Environment Manager agree to these being dealt with by condition.

Land contamination

- 22 A phase I desk study submitted suggests that there is no notable likelihood of contamination from former or adjacent users to the site which would prevent its redevelopment for the purpose being proposed and recommends a phase II investigation is undertaken once a detailed layout is prepared. The Councils Environmental Health Officer has considered the application and raised no objections in principle although recommended conditions in respect to a contaminated land survey being undertaken and restrictions are placed on construction working hours. Conditions are recommended in respect to both of these matters.

Ecology

- 23 The applicant employed an ecologist to undertake surveys to assess the presence of bats and it has been found that bats are roosting within the building and utilise several access points into the building which has confirmed the presence of roosting Pipistrelle Bats as well as 3 different species foraging in the area and a further species flying over the site. The site is confirmed within the submission as being a high quality habitat and that works to demolish the building currently on site will require a licence from Natural England due to the presence of bats. The submission indicates a scheme of mitigation as including obtaining the licence from Natural England, providing temporary accommodation for bats during the disturbance phase of works, careful timing of works and the provision of permanent bat accommodation with the final development scheme. In respect to resident's concerns over wildlife using the site and in the wider area, the site is adjacent to the open countryside and would in part allow retention and inclusion of hedgerows and other landscaping, thereby mitigating its loss in part and as the site is currently occupied by a building and car park its existing contribution to wildlife habitat would be relatively limited. A condition is

recommended to prevent the removal of existing landscaping prior to the approval of an approved layout and landscaping scheme in order to protect natural features which are beneficial to the character of the site on the edge of the settlement adjacent to the open countryside

- 24 Conditions are recommended requiring demolition to take place in accordance with a detailed written scheme and subject to an ecologist being present and for future provision for roosting to be provided via a scheme yet to be agreed, taking into account this outline proposal not being detailed in terms of the final built form and layout for the site. This would normally be via bat tiles and roosts being provided in the walls and roof structures of the new dwellings.

Open Space and Recreation provision

- 25 Residential development schemes are required under Core Strategy Policy CS11 to make relevant contributions towards open space, recreation and landscaping. There is no such provision being made on site and as such, contributions are being sought for the provision to be made off site by way of financial contribution. The Council's Countryside and Open Space section have indicated schemes in Stillington which are considered to be suitable for housing development to contribute to. Appendix 4 highlights the need for a contribution of £34,860 towards local provision with a MUGA and works in the Forest Park being highlighted as currently unfunded suitable schemes.

Other matters

- 26 The Police Architectural Liaison Officer has highlighted principles of the Secure by Design philosophy to adopt crime prevention measures in these new developments. Advice is given to the appropriate use of boundary fences and gates with locks is utilised, demarcation between private and public space, house security features and other similar matters. These would become more relevant at the reserved matters stage and do not affect the consideration of the principle of development which this application seeks to establish.
- 27 The site layout is indicative, however it has demonstrated that adequate privacy and amenity is achievable for the level of development being proposed, achieving suitable distances between properties. With respect to the building height of the existing social club being 'limited', the scale of the proposed development is not detailed for consideration as part of this proposal, instead being a reserved matter. As such, were outline permission to be granted, a further Reserved Matters Application would need to be submitted to agree the layout and scale of the development. Notwithstanding this, houses in the immediate vicinity of the site are two storey and these are located on higher ground than the social club and in general terms the two and three storey properties indicatively shown are considered to be suitable on this site.
- 28 With regards to resident's concerns over additional pressures on services such as doctors, planning does not have a direct control on such provisions, however, it is expected that such facilities would generally flex to meet the needs of the population. With regards to schools, it is noted that the proposal will result in the increase in population in Stillington, being one of 3 recent applications which would increase housing by over 100 properties when combined. 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 Council's 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. In view of three housing schemes in the village, the cumulative demand for school places is appreciated although the timing of commencement is unknown on sites and the timing of associated demand on school places is also unknown at this stage. As such, a precautionary contribution is being sought to provide school places in the catchment of the site. This would be subject to a discount relative to available school places at the time meaning that the developer would not need to make payment in the event that places are not available. This contribution is highlighted within the Heads of Terms.

- 29 There is a small haulage use immediately to the rear of the site although in view of its scale it is considered that this should not unduly affect the future amenity of residents on the site.
- 30 Residents and the Parish Council have objected as detailed within the report, mainly on there being no additional need for traffic, on flood risk and traffic. All of these and other reasons for objection have been addressed in the considerations detailed.
- 31 The Parish Council have indicated that bonfires have been taking place on site and have requested that a condition is placed on any approval preventing open burning during the construction phase of development. In view the matter pointed out by the Parish Council and the sites proximity to other residential properties, a condition is recommended to prevent open burning during the construction phase of the development.
- 32 Governments requirement for residential developments to be built to meet Level 4 of the Code for Sustainable Homes has recently been removed and as such, although Core Strategy Development Plan Policy requires properties to be built to code 4 level, in view of the recent change in guidance, it is now recommended that such a condition is not imposed on this scheme.

CONCLUSION

- 33 The proposed scheme is considered to represent sustainable development on a partial brownfield site on the edge of the existing settlement. It has been reasonably demonstrated that 20 units can be accommodated on site whilst providing adequate access, parking, manoeuvring and whilst taking into account matters of Flood Risk, Ecology and other such matters. Conditions are recommended to control the greater level of detail associated with the outline application.

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

WARD AND WARD COUNCILLORS

Ward	Western Parishes
Ward Councillor	Councillor Andrew Stephenson

IMPLICATIONS

Financial Implications:

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

Legal Implications:

There are no known legal implications in determining this application.

Environmental Implications:

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

Human Rights Implications:

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Within this report consideration has been given to implications of increased traffic movements and the need for traffic calming. There are no other notable impacts on community safety recognised within the assessment of the proposed development.

Background papers

Planning application 14/2024/OUT
Stockton on Tees Core Strategy

Stockton on Tees Local Plan