

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
22nd July 2015  
REPORT OF CORPORATE DIRECTOR,  
DEVELOPMENT AND NEIGHBOURHOOD  
SERVICES**

**14/3008/OUT**

**Land Adjoining Approved Phase 1 Scheme, South Of Kirk Hill, Carlton,  
Outline application for the construction of 25 residential dwellings comprising 8 affordable dwellings and 17 open market dwellings, with all matters reserved except access**

**Expiry Date: 31 July 2015**

**SUMMARY**

Outline Planning permission is sought for the erection of 25 dwellings (8 affordable and 17 open market) with all matters reserved other than access, on land at Carlton Village. The site is accessed off Kirk Hill and would develop an existing open field south of the previously consented phase 1 development for 36 dwellings (14/0637/FUL), a landscape buffer will be planted on the southern, eastern and western boundaries (Site Plan and Indicative layout is attached at Appendix A and B).

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 principle of development on this site is acceptable on this basis.

The village is classed as a Tier 2 sustainable village as detailed within the council's rural villages study, suitable for infill housing and there is a need for rural affordable houses on both Carlton and Redmarshall. The scheme would accord with the principles of these requirements, although of a scale which is beyond what would normally be considered as infill village development. Notwithstanding the scale of the proposal, the development is supported and will be able to support the housing requirements of the surrounding smaller, unsustainable settlements.

Taking into account all comments received, it is considered that the scheme would not have a significant detrimental impact on traffic in the area and the indicative layout shows a scheme could be provided which would be acceptable. There are no ecology, archaeology, flood risk or landscaping issues associated with the site which would prevent such a development being acceptable and no significant impacts on the privacy and amenity associated with existing properties adjacent to the site.

The development is required to contribute towards the provision of affordable housing, education places, as well as a sustainable travel contribution. These form part of the Section 106 Agreement and Conditions as recommended.

50 objections have been received from 37 residents which revolve mainly round the principle and amount of development, visual impact of the development and impact on the character of the area, the impacts of additional traffic, flooding issues and the unsustainable nature of Carlton. Objections have also been received from Carlton Parish Council and Redmarshall Parish Council and the Ward Councillor.

It is considered that on balance, although this proposal is out-with the limits for development, there are no designations on site or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing and the scheme will provide the affordable housing requirement for Redmarshall as identified in the Stockton Rural Housing Needs Assessment and the scheme is considered to be able to be undertaken whilst being in accordance with all other relevant development plan policies.

## **RECOMMENDATION**

**That planning application 14/3008/OUT be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with Heads of Terms below. Should the Section 106 Agreement not be signed by the 31 July 2015 or any other date as agreed by the Head of Economic Growth and Development then the application should be refused due to lack of adequate provisions in respect to the details listed within the Heads of Terms.**

### **01. Time Limit**

The development hereby permitted shall be begun either before the expiration of three 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.

By virtue of the provision of Section 92 of the Town and Country Planning Act 1990 (as amended).

### **02 Approved Plans**

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

Plan Reference Number	Date on Plan
RES341 200-21	18 November 2014

Reason: To define the consent.

### **03 Approved Plans**

Notwithstanding the submitted plans the access as shown on plan RES341 200-20 REV 7 is hereby approved, the remainder of the plan is for indicative purposes only.

Reason: To define the consent.

### **04 Reserved matters;**

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

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

### **05 Time limit for submission of the reserved matters;**

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

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

## **06 Reserved matters Application**

The reserved matters application shall ensure the development complies with the guidance contained in Supplementary Planning Document 3: Parking Provision for New Developments (SPD3).

Reason: To ensure the development has sufficient parking in the interests of highway safety

## **07 Materials**

Notwithstanding the submitted details in the application the external walls and roofs shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building(s) including any details of render and finish have been approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the approved details.

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

## **08 Affordable Housing**

Notwithstanding the details hereby approved, the 8 dwellings as illustrated on the indicative layout plan RES/341 Rev 7 shall be affordable housing, of the type and design as detailed on the plan. Properties shall remain as such in perpetuity unless an alternative method of affordable provision is agreed in writing by the Local Planning Authority.

Reason: In order to comply with Stockton on Tees Core Strategy Development Plan Policy CS3 and to take into account the principles on which the development is being considered in view of the loss of open space.

## **09 Existing and proposed site 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.

## **10 Ecology**

The development shall be carried out in strict accordance with the recommendations as detailed in the Habitat and Protected Species Risk Assessment dated October 2014 by Penn Associates.

Reason: In the interest of ecology and to prevent an adverse impact on protected species

## **11 Ecology**

Site clearance works should not take place during the bird breeding season (March to end of August). If site clearance is necessary during this time there should be a site walkover by a suitably qualified ecologist to check for the presence of breeding birds.

Reason: In the interest of ecology and to prevent an adverse impact on protected species

## **12 Phasing**

Work shall not commence on the construction of Phase 2 until Phase 1 (approved under 14/0637/FUL) is substantially completed unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the development hereby approved is not developed as an isolated development in the open countryside.

### **13 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.

### **14 Foul Drainage**

Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details. Any drainage scheme submitted to the Local Planning Authority should be in line with Northumbrian Waters comments made in the pre-development enquiry response.

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

### **15 Discharge of Surface Water**

Surface water discharges from this site shall be flow regulated to ensure that flooding problems elsewhere in the catchment are not exacerbated. Final details of an appropriate surface water drainage solution shall be submitted to and approved by the Local Planning Authority before 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 system to accommodate a 1 in 30 year storm. The design shall also ensure that storm water resulting from a 1 in 100 year event surcharging the drainage can be stored on site without risk to people or property and without overflowing into drains or watercourse. Micro Drainage design files (mdx files) are required to be submitted for approval. The flow path of flood waters exiting the site as a result of a rainfall event exceeding the 1 in 100 year event should also be provided.

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

### **16 Discharge of Surface Water**

No works shall commence until a surface water construction management plan has been provided and approved by the Local Planning Authority, the plan should include the following;  
Timetable for the construction of the key elements of the surface water management scheme which are (a) The outfall structure (b) The control structure (c) The storage structure  
(ii) The arrangement for controlling silt levels during construction

Reason: To ensure surface water runoff is controlled and does not increase flood risk during the construction phase

### **17 Discharge of Surface Water**

None of the dwellings shall be occupied until a SuDS Management/Maintenance Plan has been provided and approved by the Local Planning Authority, the plan should include details of the following;

A description of the SUDS scheme, how it works and a explanation of how it should be managed in the future.

A Schedule of Work to set out the tasks required to maintain the site and the frequency necessary to achieve an acceptable standard of work. A spillage control procedure should also be included. A site plan (drawing) – showing maintenance areas, access routes, inlets, outlets and control structure positions, location of any other chambers, gratings, overflows and exceedance routes.

Health and safety issues

Funding arrangements for the long term maintenance of the SuDS elements.

Reason: To ensure that all elements of the SUDS are maintained satisfactory.

## **18 Construction Management Plan**

A Construction Management Plan shall be submitted and agreed, prior to the commencement of development, with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases and to effectively control dust emissions from the site works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.

Reason: In the interests of the occupiers of adjacent and nearby premises.

## **19 Means of Enclosure**

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans, prior to the commencement of development, details of the means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Such means of enclosure shall be erected before the development hereby approved is occupied.

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

## **20 Street Furniture**

Prior to the commencement of development, details of any street furniture associated with the development shall be submitted to and approved in writing by the Local Planning Authority. Such street furniture as agreed shall be erected before the development hereby approved is occupied.

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

## **21 Scheme for Illumination**

Prior to the commencement of development full details of the method of external LED illumination including Siting; Angle of alignment; Light colour; and Luminance of buildings facades and external areas of the site, including parking courts, shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation.

Reason: To enable the Local Planning Authority to control details and in the interests of the amenity of adjoining residents; highway safety; and protection of sensitive wildlife habitats.

## **22 Landscaping Softworks**

No development shall commence until full details of Soft Landscaping, following the principles of plan C1112-02 Revision F received 15 May 2015, has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following Commencement of the development; or agreed phases; or prior to the occupation of any part of

the development; and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

### **23 Retention of Existing Trees Shrubs and Hedges**

Notwithstanding the proposals detailed in the Design and Access Statement/ submitted plans a plan shall be submitted identifying the trees to be retained on the site all trees indicated for retention shall be retained and maintained for a minimum period of 25 years from practical completion of the development. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans. Any tree, shrub or hedge or any tree, shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

### **24 Tree Protection**

No development shall commence until full details of proposed tree protection has been submitted to and approved in writing by the Local Planning Authority. Such protection shall comply with BS 5837:2012 and Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007 ). The requirements of Stockton on Tees Borough Council in relation to the British Standard are summarised in the technical note ref INFLS 1 (Tree Protection), which is available upon request. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Reason: To protect the existing trees on site that the Local Planning Authority consider to be an important visual amenity in the locality that should be appropriately maintained and protected.

### **25 Maintenance Softworks**

No development shall commence until full details of proposed soft landscape management has been submitted to and approved in writing by the Local Planning Authority. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plan prior to the occupation of the Development; or approved phases. Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the local planning authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season. Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

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

## **26 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

## **27 Removal of permitted development rights for extensions**

Notwithstanding the provisions of classes A, B, C, D, E, and F of Part 1 of the Town and Country Planning (General Permitted Development) (England) 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 or means of enclosure erected within the curtilage without the written approval of the Local Planning Authority

Reason: In order that the local planning authority may exercise further control in order to protect the amenity of adjoining residents.

## **28 Removal of permitted development rights for boundary treatments to the front of properties**

Notwithstanding the provisions of class A of Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), other than as shown on the approved plans there shall be no walls, fences, railings or other form of boundary enclosures erected between any point taken in line with the properties front and / or side elevation and a public highway or public footpath adjacent to the properties boundary without the written approval of the Local Planning Authority.

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

## **29 Construction activity;**

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.

## **30 Unexpected Land Contamination**

If during the course of development of any particular phase of the development, contamination not previously identified is found to be present, then no further development on that phase shall be carried out until the developer has submitted to, and obtained written approval from the local

planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be carried out as approved.

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

## **INFORMATIVES**

### **Informative: Working Practices**

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

### **Informative: Highways, Transport and Environment Manager**

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

Construction of highways for new developments: As part of the new Development you may wish the Council to adopt highways (including carriageways, footways, verges, cycleways, highway drainage and street lighting) which would then be maintainable at public expense. In order to achieve this the Developer will be required to enter into an agreement with the Council as Highway Authority under Section 38 of the Highways Act 1980. The Council would only consider adoption provided any highways are designed and constructed in accordance with the 'Design Guide and Specification for Residential and Industrial Estates' which can be downloaded from the Stockton Council website. It is important for Developers to appreciate that obtaining a planning consent does not imply that a layout is suitable for adoption or give permission to work on an adopted Highway. It is recommended that the Council is consulted about any of the above at an early stage as the Council are unlikely to adopt the highway without the Developer entering into a Bond with the Council for inspecting the construction and short term maintenance of the proposed highway at regular intervals. If you require any further information please do not hesitate to contact: Highway Asset Manager, Highway Network Management, Stockton-on-Tees Borough Council, Technical Services, PO Box 229, Kingsway House, Billingham, TS23 2YL Telephone: (01642) 526739 Fax Number: (01642) 361690 Email: [technicalservices@stockton.gov.uk](mailto:technicalservices@stockton.gov.uk)

## **HEADS OF TERMS**

- A Sustainable Transport Contribution for a period of 5 years.
- Precautionary Education Contribution to provide primary/secondary school places should they be required at the appropriate time.
- 10% Local Labour and services requirement
- Highways Agreement.

## **BACKGROUND**

1. Planning permission was sought for the erection of a stable block and access track on land to the north of this site (App: 10/1602/REV). The application was refused a subsequent appeal was dismissed. A copy of the proposed plans and the appeal decision is attached at Appendix C.
2. Full planning permission was approved by Planning Committee on the 20 August 2014 for the erection of 36 dwellings (13 affordable and 23 open market) with associated landscaping and infrastructure on land to the north of the application site (referred to in this report as



Phase 1). Although the proposal was out-with the limits for development, it was considered that there were no designations or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing, the scheme would provide the affordable housing requirement for Carlton as identified in the SRHLA and the application was recommended for approval on this basis. A copy of the approved plan is attached at Appendix D.

3. An application has been received to discharge conditions in relation to the Phase 1 application (15/0407/APC). The applicant proposes a SUDs scheme but the plans show phase 1 and the current application (referred to in this report as Phase 2). As no decision has been made on the application under consideration the conditions have not been discharged and the application has been held in abeyance until the outcome of this application is known.

### **SITE AND SURROUNDINGS**

4. The application site is a field to the southwest of High Farm House in the village of Carlton. The application site is a continuation of Phase 1 which was recently approved for 36 dwellings to the north of the site. The site is outside the village limits to development, as was phase 1.
5. The land is generally level, but the land slopes as it falls towards Letch Beck. There are residential properties to the east, including High Farm Close and Willow Bridge Close and residential properties to the North beyond the approved houses for Phase 1. A public right of way runs through land to the east, outside the boundaries of the site which then connects to a series of other paths.
6. Redmarshall Village is approximately 400 metres to the west of the application site with open fields separating the two villages.

### **PROPOSAL**

7. Outline Planning permission with all matters reserved except the access is sought for the erection of 25 dwellings; the development consists of 8 affordable homes and 17 Market Homes. The indicative plans show  
Affordable - 3 two bedroomed bungalows, 3 two bedroomed terrace dwellings and 2 three bedroomed semi-detached bungalows  
Market – 7 four bedroom detached dwellings, 6 three bedroom detached dwellings and 4 three bedroomed semi-detached homes.
8. Access will be taken from Kirk Hill using the same point of access as the existing approved scheme.
9. A landscaping buffer will be planted to the west and eastern boundary and a significant area of buffer landscaping will be planted to the southern boundary.

### **CONSULTATIONS**

10. The following Consultations were notified and the most recent/relevant comments received are set out below:-
11. Spatial Plans Manager  
As you will be aware section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission be determined in accordance with the

Development Plan unless the material considerations indicate otherwise. This response focuses on the key spatial and housing planning policy issues which relate to the application. The Development Plan - 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 Carlton as designated on the 1997 Local Plan Proposals Map. Village development limits have not been altered on the Core Strategy Strategic Diagram. The policies map for the emerging Regeneration and Environment Local Plan shows that the site is designated as outside the limits to development.

The National Planning Policy Framework (NPPF) - The NPPF is a significant material consideration in the determination of planning applications. Paragraph 14 states that at the heart of the NPPF is the presumption in favour of sustainable development which is a 'golden thread running through both plan-making and decision-taking'. For plan-making this includes local planning authorities positively seeking 'opportunities to meet the development needs of their area'. For decision-making it means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Delivering a wide choice of high quality homes - The NPPF provides that 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.' (Para 49). The NPPF provides the following policy on rural housing provision: 'In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.' (Para. 54)

'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities e.g., 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 five year housing supply assessment for Stockton-on-Tees is updated annually using a base date of 31 March. The five year supply assessment is also being updated every 6 months. The latest update uses a base date of 30 September 2014. The report entitled Five Year Deliverable Housing Supply Final

Assessment: 1st October 2014 to 30th September 2019 concludes that the borough has a supply of deliverable housing land of 4.94 years with a 20% buffer added.

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.

The application is contrary to points 2 and 3 of Core Strategy Policy 1 - The Spatial Strategy and to Core Strategy Policy 7 - Housing Phasing and Distribution. However, relevant policies for the supply of housing are not up-to-date if the authority cannot demonstrate a five year supply of deliverable housing sites. Other policies in the development plan that are relevant to the application remain up-to-date and are referenced in these comments.

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'

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'. This policy is also relevant to landscape and visual impacts which are the next discussion point.

Landscape and Visual Impacts: The Stockton-on-Tees Landscape Character Assessment and Capacity Study (July 2011) provides the evidence base to consider the proposal in landscape terms. The site is located in an area with low landscape capacity (Site SLCA0105 Landscape Capacity Assessment). Landscape capacity is the ability for the landscape to accommodate change without significant impact. The assessment for Landscape unit also states that it has high character sensitivity and high visual sensitivity.

The Council's Urban Design team have raised issues regarding the impact of the proposal upon this area of high landscape and visual sensitivity and the visual impact of the scheme on the limited strategic gap between Redmarshall and Carlton. The applicant will need to demonstrate that these concerns can and will be satisfactorily mitigated.

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 Publication draft Regeneration and Environment Local Plan

The Council has recognised that because of changing economic circumstances the housing strategy in the adopted Core Strategy will not deliver the housing requirement for the Borough. For this reason the Council decided to undertake a review of the strategy which was incorporated in to the draft Regeneration and Environment LDD preferred options consultation (2012). Emerging Strategic Policy SP2 Housing Spatial Strategy

The Planning the Future of Rural Villages Study classifies Carlton as a sustainable village. Whilst in-fill development is appropriate within sustainable villages, emerging Regeneration and Environment Local Plan Strategic Policy SP2 - Housing Spatial Strategy restricts market housing development outside village limits to where developers provide robust evidence, in the context of the economic viability of development, that it is needed to support rural affordable housing in the locality.

The weight to be attached to emerging policies

Paragraph 216 of the NPPF creates the potential for weight to be attributed to the emerging Regeneration and Local Plan for different reasons. The 1st bullet point at NPPF paragraph 216 is the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The emerging Regeneration and Environment Local Plan (the Publication stage which is an advanced stage of Local Plan preparation). However, the approach of the authority remains to be tested at Examination in Public. Therefore, in this context only limited weight can be attributed to the emerging plan.

The 2nd bullet point at NPPF paragraph 216 is the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The authority has carefully considered representations made in response to the consultation on the Preferred Options document and determined whether or not to make modifications accordingly and has published a schedule of responses to the representations. At the Preferred Option stage draft policy restricted rural housing outside village development limits to affordable housing. Representations were received in response to the consultation contending that this was too restrictive and that market housing should be allowed. The authority has responded by modifying draft policy to allow market housing, subject to it being demonstrably required to deliver the affordable housing. I consider therefore that limited weight can be attributed to emerging Policy SP3 in the context of the 2nd bullet point of NPPF paragraph 216.

The 3rd bullet point at NPPF paragraph 216 states 'the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that can be given)". The Plan must be consistent with the NPPF policies and Officers consider that the policies in the emerging plan are consistent with the NPPF and that therefore some weight can also be given to the emerging plan in the context of the 3rd bullet of NPPF paragraph 216.

Drawing the three bullet points of NPPF paragraph 216 together I consider that some degree of weight can be attributed to Strategic Policy SP2 in the emerging Regeneration and Environment Local Plan.

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 Carlton, the study shows an affordable housing shortfall of 13 dwellings over the 5 year period 2013/14 to 2017/18.

The nearest settlement to Carlton is Redmarshall. The study shows an affordable housing shortfall of 7 dwellings for Redmarshall over the 5 year period 2013/14 to 2017/18

The Approved Phase 1 application will provide 13 affordable homes. This will meet the identified shortfall for Carlton over the 5 year period 2013/14 to 2017/18.

The proposal would deliver 8 affordable homes. This represents affordable housing provision of 32% and would meet the identified shortfall for the neighbouring settlement of Redmarshall over the period 2013/14 to 2017/18. This is a material consideration in favour of the proposal.

The 2014 Planning the Future of Rural Villages Update

The site is located adjacent to the village of Carlton which has numerous services and facilities located within the village and an hourly bus service to services and facilities within the conurbation. 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.

The 2014 Planning the Future of Rural Villages in Stockton-on-Tees Borough Update Report updates the audit of services and facilities. The study concludes as follows: 'Both assessments result in a similar hierarchy of relative sustainability, with Stillington being identified as having the greatest access to the greatest level of in-village services and access by sustainable means. Wolviston and Carlton are identified next in the hierarchy of sustainability; importantly these villages score positively against the three criteria identified as being essential for a sustainable village.'

The proposal is located outside of the development limits for the village but it is evident that prospective residents would have a similar level of access to the services and facilities as those currently within the village.

The need for market housing in Carlton

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.

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 Carlton 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 and 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 case officer will need to consider whether the market housing is required to deliver this.

The case officer will need to consider the proposal in a landscape and visual context including the degree of harm to maintaining the separation of the settlements of Carlton and Redmarshall.

The ability of Carlton to adequately support development on this scale will clearly be a key aspect of the case officer's assessment. This relates to Policy CS1.1 and Policy CS2.1 and to the 11th bullet point of paragraph 17 of the NPPF which requires significant development to be focused in locations which are or can be sustainable.

## 12. Highways Transport And Environment

Executive Summary: The Highways, Transport & Environment Manager has no objection, subject to the comments and conditions included below, to the outline application for the construction of 25 residential dwellings comprising 8 affordable dwellings and 17 open market dwellings, with all matters reserved except access.

The proposed development is an outline application, with all matters reserved except for means of access, for the construction of 25 dwellings in the village of Carlton which would extend an already consented development for 36 dwellings (14/0637/FUL). The development should be designed and constructed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3).

The access into the proposed development would be taken from an internal road within the already consented development for 36 dwellings (14/0637/FUL) which would provide a connection to Kirk Hill Road via a new junction.

If approved, the internal roads would need to be constructed in accordance with the Council's Design Guide and Specification but this would be subject to a further application. The applicant would need to enter into a Highways Act Section 38 Agreement for the highway and footpaths which are to become highway maintainable at the public expense.

The contribution of £62,500, offered by the applicant to mitigate the highways impact of the development, should be used to ensure the existing bus service remains viable and an annual payment of £12,500 for a period of 5 years should be secured through an s106 Agreement.

The applicant has submitted a Flood Risk Assessment (FRA) in support of the proposals and the measures highlighted to manage surface water runoff from the proposed development (Phase 2) are acceptable in principle. A detailed surface water drainage solution, for the development, has not been provided at this stage and this should be secured by condition.

The site forms part of a larger site designation in the Stockton Borough Council Landscape Character Assessment and is classed within an area of high landscape and visual sensitivity with a low capacity for appropriate development. It is located within the 'West Stockton Rural Fringe' character area. The site lies outside the village limits for development.

A landscape and visual baseline study has been undertaken by the applicant to assess the broad landscape and visual issues likely to arise from the development of the site. Although not a full Landscape and Visual Impact Assessment it adheres to the principles for methodology and assessment as set out in the Guidelines for Landscape and Visual Assessment (third edition).

The southern edge of the site faces open countryside and in order to mitigate views of the proposed housing development a wide landscape buffer is proposed along the southern boundary of the properties. This buffer is shown on the landscape plan ref c-1112-02 Rev F and is comprised of native planting. This buffer is considered acceptable to filter views of the development from the south.

On the eastern boundary the landscape plan ref c-1112-02 Rev F proposes a new 3m wide landscape buffer along the eastern edge of the development inside the site boundary. This buffer is supplemented by mature tree planting to provide some instant screening, whilst the smaller plants establish, and enhance the existing hedgerow which falls outside of the red line boundary. Whilst this hedge should be retained, its retention cannot be conditioned.

The proposed landscape mitigation would provide beneficial screening of the development once mature. However, even after maturity the proposed housing will still be partially visible, although significantly screened from view by the proposed new planting.

Detailed comments and conditions, should the application be approved, are included in Appendix 1 and Appendix 2 respectively.

Appendix 1 - Detailed Comments

Highways Comments: The proposed development is an outline application, with all matters reserved except for means of access, for the construction of 25 dwellings in the village of Carlton which would extend an already consented development for 36 dwellings (14/0637/FUL). The development should be designed and constructed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) current edition and Supplementary Planning Document 3: Parking Provision for New Developments (SPD3).

Access: The access into the proposed development would be taken from an internal road within the already consented development for 36 dwellings (14/0637/FUL) which would provide a connection to Kirk Hill Road via a new junction.

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

Layout: The illustrative site plan is shown on Drawing RES341/200-20 Rev7 and would form an extension to the already consented development for 36 dwellings (14/0637/FUL). The internal roads would be at least 4.8m wide with a footway on at least one side.

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

Each incurtilage parking space should be 6 metres in length to ensure that parked cars do not overhang the footway. The parking provision indicated on Drawing RES341/200-20 Rev7 is considered acceptable.

A plan has been provided showing vehicle tracking around the site to demonstrate large vehicles / refuse collection vehicles can manoeuvre within the proposed development.

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

Traffic Impact: The trip generation of the proposed development has been ascertained in the TA using average trip rates from TRICS, a national trip generation database. The trip rates and associated trips are shown in Table 1.

Table 1: Trip Rates and Trips

	Arrivals		Departures	
	Trip Rate	Trips	Trip Rate	Trips
Weekday AM Peak Hour	0.169	4	0.380	10
Weekday PM Peak Hour	0.363	9	0.213	5

It should be noted that the applicant has offered an s106 contribution of £62,500, which has been calculated on a pro-rata basis, using the cost per dwelling for the previously agreed s106 contribution of £97,500 for the consented development for 36 dwellings (14/0637/FUL) to mitigate the impact, within the West Stockton area, of the proposed additional 25 dwellings.

The contribution, for the consented development of 36 dwellings (14/0637/FUL), was calculated using the net increase in traffic through the area modelled within the West Stockton traffic model.

It is considered that the proposed development, which seeks to extend the already consented development of 36 dwellings, would result a net increase in traffic through the area modelled, however in percentage terms this does not result in a material increase. Therefore the additional s106 contribution offered is not considered necessary as the agreed s106 contribution of £97,500, for the already consented development of 36 dwellings (14/0637/FUL), is considered adequate to mitigate the impact of the combined development.

**Sustainable Transport:** The site layout provides a footway connection, via the already consented development for 36 dwellings (14/0637/FUL), which links the access road to the existing pedestrian footway on Kirk Hill. This provides a link to the village centre and the bus stop.

The number 84 Leven Valley service, which operates between Stillington and Stockton town centre, provides an hourly service from this stop. In order to ensure this service remains viable it is considered reasonable to request a contribution towards the ongoing costs of delivering the service. Therefore the contribution of £62,500, offered by the applicant to mitigate the highways impact of the development, should be used to ensure the service remains viable and an annual payment of £12,500 for a period of 5 years should be secured through an s106 Agreement.

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 provides details of sustainable travel options (bus timetables / cycle route map) to encourage sustainable travel behaviour from the outset of the development.

#### Landscape & Visual Comments

**Development Proposal:** The proposed development is for 25 residential dwellings south west of Carlton village, extending an already consented development for 36 houses by the same developer.

**Landscape Character:** The proposed development site is a grassed field adjoining an approved housing development. The northern site boundary is currently located within the centre of a field, but will in the future be the rear boundary fence of properties within the consented Phase 1 development. The western site boundary is comprised of a thick mixed species deciduous hedge which is featured as an 'ancient hedgerow' in a hedgerow survey conducted by the Wildflower Arc in 2006. The southern edge of the development is a stock proof fence, and the eastern boundary is a mixed species fragmented deciduous hedge with large gaps.

The topography of the site presents a generally level appearance with the land rising slightly to the north. A public right of way runs just to the east of the site.

The site forms part of a larger site designation in the Stockton Borough Council Landscape Character Assessment and is classed within an area of high landscape and visual sensitivity with a low capacity for appropriate development. It is located within the 'West Stockton Rural Fringe' character area. The site lies outside the village limits for development.

**The Landscape and Visual Appraisal (LVIA):** A landscape and visual baseline study has been undertaken by the applicant to assess the broad landscape and visual issues likely to arise from the development of the site. Although not a full Landscape and Visual Impact Assessment it adheres to the principles for methodology and assessment as set out in the Guidelines for Landscape and Visual Assessment (third edition). The potential visual receptors were identified for the approved Phase 1 of the development and these locations have been reused as part of this report, and are assessed as follows.



Viewpoint 1 is taken from Kirk Hill Road traveling east toward the site from Redmarshall. The viewpoint photography demonstrates that the site would not be visible from this location being hidden by dense roadside hedging and trees.

Viewpoint 2 is taken from the public footpath on Kirk Hill Road, north of the site. Key receptors for this viewpoint would be footpath users and residents on the Green Leas Estate facing the site. Views of the site would be heavily filtered by the roadside hedge on the southern side of Kirk Hill Road, and would take in the roof lines of the eastern line of properties, beyond the consented Phase 1 of the development. It is agreed that the impact on the current view, taking into account the construction of Phase 1 is assessed to be medium.

Viewpoint 3 is taken from the public footpath west of Poplars Lane, which runs close to the eastern boundary of the site in the adjacent field. The view of the proposed development would be partly filtered by the existing eastern boundary hedge, although adjacent to the proposed development there is a large gap. This gap would allow very close unobstructed views of two storey development through and above the hedge, and would be seen as a continuation of the approved Phase 1 development.

Although the existing development would also be seen in this view, the additional houses within the proposed development would further encroach into the rural setting, extending the urban area southwards into the countryside. The LVIA considers that the visual impact would be medium, however it is considered that the visual impact would be high, changing the character of the view from one of a rural field to urban housing.

The updated landscape layout drawing c-1112-02 Rev F proposes a new 3m wide landscape buffer within the site boundary. This is supplemented by additional mature tree planting within the site to provide some instant screening. The existing hedge is located outside of the red line boundary, and this is considered to be outside the control of the applicant. There is no assurance that this can be retained, and maintained in perpetuity. However, the proposed buffer planting will make a significant contribution to screening once mature, and will provide screening on its own, should the boundary hedge be lost.

Viewpoint 4 is located south of the site at the bend in Letch Lane and on the route of a public right of way. Users of this route would experience the greatest visual impact of the development. From this location, the proposed development, at the rear of the recently consented Phase 1 housing development, would be clearly visible. The applicant describes the proposed additional housing as being a 'logical extension of the village from this viewpoint'. However it is considered that the additional housing would be intrusive within the view, as it extends beyond the existing village footprint, and existing mature tree and hedgerow screening surrounding the village. The proposed development protrudes into the rural landscape, impacting upon this area of high landscape and visual sensitivity.

It is considered that from this viewpoint the development is viewed with Redmarshall beyond, giving the appearance of closing the strategic gap and leading to a coalescence of the settlements of Carlton and Redmarshall.

The mitigation planting proposed in landscape plan ref c-1112-02 Rev F proposes a new 3m wide landscape buffer along the eastern edge of the development inside the site boundary. This buffer is supplemented by mature tree planting to provide some instant screening, and enhancement of the existing hedgerow to gap up the existing boundary.

The photomontage Figure 15A prepared by the applicant showing the development at completion indicates the proposed new housing will be visible within the view, although filtered by the proposed landscape buffer. At maturity, the photomontage demonstrates the landscape buffer will provide sufficient screening to significantly reduce the visual impact from this viewpoint, with only the roofline partially visible. The location of the proposed landscape buffer within the site boundary, gives reassurance that it will be retained, and maintained as part of the housing development, providing robust screening, should the existing hedgerow be lost.

Viewpoint 5 is taken from public footpath near Hill House Farm towards the southern edge of the site at almost 1km distance, and shows an expansive view of a predominantly agricultural landscape. The photomontage demonstrates that even with the benefit of intervening trees

and hedges the proposed housing would be clearly visible at the southern edge of Carlton, seen as a visual extension to the existing village. The LVIA considers that the visual impact would be low. The applicant's assessment is confirmed, and it is agreed that the impact requires additional mitigation in the form of landscape buffers on the southern edge of the site to soften views of the development, as shown on landscape plan c-1112-02 Rev F. The photomontage Figure 16A prepared by the applicant demonstrates screening of the development at completion, with significantly improved screening at maturity.

Viewpoint 6 is taken from Drovers Lane near Hill House Farm looking north at an elevated position at almost 1km distance from the site. The proposed housing development can again be seen within the agricultural landscape and although the western boundary hedge would partially filter views of the lower part of the development, upper storeys and the roofscape would be clearly visible at the edge of Carlton Village. The LVIA considers that the visual impact would be low; however the impact is considered to be medium. The importance of the inclusion of the proposed landscape buffers on the western edge of the development should be stressed.

Viewpoint 7 is taken from Drovers Lane next to the reservoir as a longer distance view of approximately 1.5km looking north west toward the site. Carlton village is just visible in the view although the topography and intervening hedgerows mean that only small sections of the village are discernable. It is possible some of the roofscape on the proposed development site could be visible but in a distant view only. It is considered that the visual impact would therefore be negligible.

Viewpoint 8, another distant view of the site is taken from public footpath north of Oxe Eye Farm almost 2km distant from the development site looking north east. The view is taken from an elevated position looking across the agricultural landscape toward the site, where the applicant assesses that existing tree cover to the west and south would partially screen the site. The proposed landscape buffer planting to the west and south of the new development will partially screen the residential properties, the proposed development would remain clearly visible the impact would be medium adverse.

Viewpoint 9 and 10 represent long distance views of the site. It is agreed that the proposed development is not visible from these locations.

Landscape Impacts and Site Mitigation: The village of Carlton is set within a wider agricultural landscape of associated field units and boundary hedges. The landscape character of the site itself is largely derived from its boundary hedges and hedgerow trees. It is considered that the proposed housing development would change the character of the area from one of an agricultural field to one of built development. However Stockton Borough Council Landscape Character Assessment lists this site within a larger area of high landscape and visual sensitivity with a low capacity for appropriate development and as such a landscape buffer would be required to reinforce the local landscape character and soften any proposals as follows:

Redmarshall Village lies to the west of Carlton, and when viewed from certain locations, this development narrows the strategic gap between the two villages, leading to coalescence of the settlements. The western edge of the proposed development is defined by the existing field hedgerow which is shown on the landscape plan ref c-1112-02 Rev F. The study of the visual impacts of the proposed residential development highlights that in order to screen this western edge of the development facing open countryside, and to maintain the visual gap between the two villages, a landscape buffer of 3m is proposed in the form of a wide hedge of native planting. This buffer, which includes evergreen shrubs and hedgerow trees, would assist in mitigating the views of the proposed development in particular winter views following leaf fall of deciduous trees. It is considered that the buffer is acceptable regarding the estate layout and any perceived shading of the rear gardens, and is in keeping with the local character. This buffer is in addition to an existing hedge which is located on land outside the red line boundary. Whilst this hedge should be retained, its retention cannot be conditioned.

The southern edge of the site faces open countryside and in order to mitigate views of the proposed housing development a wide landscape buffer is proposed along the southern boundary of the properties. This buffer is shown on the landscape plan ref c-1112-02 Rev F

and is comprised of native planting. This buffer is considered acceptable to filter views of the development from the south.

On the eastern boundary the landscape plan ref c-1112-02 Rev F proposes a new 3m wide landscape buffer along the eastern edge of the development inside the site boundary. This buffer is supplemented by mature tree planting to provide some instant screening, whilst the smaller plants establish, and enhance the existing hedgerow which falls outside of the red line boundary. Whilst this hedge should be retained, its retention cannot be conditioned.

The submitted photomontage images demonstrate that the proposed mitigation would provide beneficial screening of the development once mature. However, until that mitigation planting reaches maturity in 15-20 years time, the proposed development would be prominent within the view, particularly from Viewpoints 3 and 4 east of the development. The inclusion of semi-mature tree species within the planting mix will provide some instant screening during the establishment period. However, even after maturity the proposed housing will still be partially visible, although significantly screened from view by the proposed new planting.

**Landscape Proposals:** The shrubs and tree species chosen and landscape specification detailed in Landscape plan ref c-1112-02 Rev F are generally acceptable, with native species selected as part of the screening buffer to the perimeter, with more ornamental species within private gardens. Trees planted within private gardens should be located at sufficient distance from properties to avoid root damage and prevent shading. Should the application be recommended for approval the provision of full landscape details would be required to be conditioned.

The existing hedgerow around the boundary of the site should be retained and protected during construction, including roots below ground. Should the application be recommended for approval this would be required to be conditioned.

**Hard Landscaping, Street Furniture, Lighting:** Should the application be recommended for approval, details of enclosure, hard landscaping, street furniture and lighting would be required to be conditioned.

**Maintenance:** Landscape buffers will have to be maintained and managed in perpetuity (25 years) to ensure their long-term retention within the development. Access to all soft landscaped areas should be provided to allow for maintenance operations to be undertaken with standard equipment. Should the application be recommended for approval the management proposals would need to be agreed and should be undertaken by a management company or other appropriate organisations as deemed acceptable by the Local Authority.

A condition should be added to any recommendation for approval that requires the reserved matters application to provide long term management proposals for the POS on this site for a period of 25 years.

**Environmental Policy :** The applicant has submitted a Low Carbon report which sets out details of the renewables to be installed, however two options are proposed:

250watt Panels providing 2Kw Peak PV installed to 9 dwellings and  
0.75Kw Peak PV installed to 25 dwellings.

Clarification is sought on which option will be delivered. The Council seeks installation of 0.75kW pv system to 25 dwellings.

**Flood Risk Management:** The applicant has submitted a Flood Risk Assessment (FRA) in support of the proposals and the measures highlighted to manage surface water runoff from the proposed development (Phase 2) are acceptable in principle. No reference is made within the FRA to the areas of the site which are within Flood Zone 2 and 3, on the south east corner of the site, and this should be considered as a possible fluvial issue for the site, from sources outside of the proposed development area, as a part of the detailed drainage solution.

A detailed surface water drainage solution, for the development, has not been provided at this stage and this should be secured by condition.

The following should be taken into account as a part of the detailed surface water drainage solution:

Greenfield runoff , allowable discharge rates and storage requirements should be calculated for the whole of the development site and approved by the Local Planning Authority  
Any works on the water course will require a separate land drainage consent from the Local Lead Flood Authority.

Confirmation regarding adoption of the proposed drainage solution should be provided.

Details should be provided highlighting the onsite storage provision for the 1 in 100 +30% storm event, this should also include the flow route for any event that exceeds the 1 in 100 +30% storm event .

The gradient of the site may be an influencing factor regarding the drainage solution, especially when considering containing the 1 in 100 storm event within the development site.

13. Tees Archaeology

The applicant has submitted the results of an archaeological desk-based assessment that summarises the results of a previous archaeological field evaluation within the development site. The report concludes that although the site is adjacent to the historic core of the medieval settlement of Carlton, it is likely that its use during this period was for agricultural purposes. The archaeological interest is therefore much reduced.

The report submitted with the application meets the information requirements of the NPPF (para. 128) with regards to impact on the significance of archaeological remains. I agree with the conclusion that no further archaeological works are required and have no objection to the proposal

14. The Environment Agency

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

Surface Water Disposal: The site is located within Flood Zone 1 and is less than 1ha in size and therefore standing advice applies. Nevertheless, we approve of the drainage strategy within the submitted Flood Risk Assessment (FRA), where the surface water is to be restricted to 5 l/s.

Disposal of Foul Sewage: As it is proposed to dispose of foul sewage via the mains system, the Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

15. Environmental Health Unit

I have no objection in principle to the development; however, I have requested this case be referred to the contaminated land officer for further comments.

Construction/Demolition - Open burning: No waste products derived as a result of Construction or Demolition operations hereby approved shall be burned on the site.

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

16. Private Sector Housing

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

17. 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.

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

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 planning statement that the applicant is proposing the following:

32% of the total scheme units will be affordable, based on a scheme of 25 units this equates to 8 affordable units;

Affordable housing will be split between 30% intermediate (2 units) and 70% rented (6 units) tenures;

Delivery of 3no 2 bedroom houses; 2no 3 bedroom houses and 3no 2 bedroom bungalows.

The above exceeds Council borough-wide policy target range set out in CS8 and the affordable housing requirements in Carlton identified in the (SRHNA) 2013 over the 5 year period 2013 - 2018. The proposal will make a significant contribution towards addressing affordable housing provision for people in the borough and the rural locality. In light of this Housing Services would have no objections to this application. 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 meet the Homes and Communities Agency's Level 1 Space Standard or such national standards prevalent at the time of the determination of the application.

18. Councillor Andrew Stephenson

I am totally against this application on the grounds that the present plans are too much development for the village. This overdevelopment will change the character of the village. It will add more traffic to an inadequate road system, in particular Letch Lane where we have already had some accidents over the last few years. The humped back bridge on this road has caused me concern. This extra housing would pressure an over stretched school system, any one taking these houses with children would struggle to get the children in to schools of their choice. So taken in to account these factors and the view of the parish council and the local residents who have contacted me on the matter I must oppose the plans.

19. Redmarshall Parish Council

Redmarshall Parish Council objects to this application on the grounds that it is outside the limits for development for Carlton and that the expansion of the village is unsustainable due to the lack of services i.e. transport, shops, health and schools as recognised in several SBC Plans. As stated in our previous objections to the Planning application 14/0637/FUL for 36 residential dwellings, it would contribute to increased use of private cars due to the lack of public transport (please note that SBC has withdrawn its subsidy for part of the Arriva No 6 Valley route and held many consultations last year on how this could be managed without a

commercial company providing a service. Both Arriva Valley, who currently provide a limited service to between Redmarshall and Stockton have not guaranteed any service)

It should also be noted that recent applications by residents for Redmarshall and Carlton were not successful in their applications to their 'Zoned' school which is Egglecliffe Secondary School. Currently proposed criteria for 2016 and beyond are out to consultation and are strongly opposed by residents of Ingleby Barwick. This further application for development will only exacerbate the situation.

20. Contaminated Land Officer

This application has submitted a Phase I Assessment which covers the issues of potential land contamination and the requirement for a subsequent ground investigation (Phase II Assessment). The detail of such a proposal needs to be confirmed and approved but subject to this I have no objection to the proposal as part of the general approach to be adopted, namely -

It is recommended that no development shall be permitted to start until a staged approach to the investigation, carried out by a qualified environmental consultant, is carried out. This would normally include the following steps: -

Phase 1 desk study and site reconnaissance including conceptual site model, which may lead to,

Phase 2 staged intrusive site investigation and characterisation, which in turn may lead to, Phase 3 risk management (which may involve remediation and validation).

Unexpected Land Contamination condition required

21. Northumbrian Water Limited

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. Having assessed the proposed development against the context outlined above NWL have the following comments to make:

NWL have provided the developer with a pre-development enquiry response dated 9th October 2013. In this response, we stated that an estimated foul flow of 4.14 l/sec can discharge into the 300mm diameter combined sewer at manhole 4607. We also stated that no surface water will be allowed to discharge into our network.

The dwellings proposed for this phase have been included within the modelling carried out as part of our pre-development enquiry. However, as the developer has not yet submitted a detailed drainage strategy confirming that foul flows will discharge into our preferred connection point at manhole 4607, we would request the following condition:

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

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

Any drainage scheme submitted to the Local Planning Authority should be in line with our comments made in the pre-development enquiry response.

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

22. Stockton Police Station - Crime Prevention and Architectural Liaison

With regard this application I wish to make the applicant aware that I would like the opportunity to be consulted at an early stage to ensure that crime prevention and community safety are considered in the layout and design of this development and that crime prevention measures are put in place where appropriate. From viewing the proposed plans Of the development I have no obvious concern with regard the layout of the development. I would however wish to discuss proposed boundary treatments particular to the rear of dwellings that back onto open ground and access gates to rear footpaths of plots 6/7 and 14.

Legislation and National Planning Guidance: National Planning Guidance states that designing out crime and 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

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 to adopt crime prevention measures in those new developments. The principles of Secured by Design have 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

23. Carlton Parish Council

Letter 1: At the recent meeting of the full Carlton Parish Council that took place on the 5th January 2015, the above application was once again discussed at length. Concerns were again raised with regard to further phases of the build, which are clearly the intention of the developers to progress, in the months and years to come. This would be something that we feel would damage the heart of what still a village with a village community.

This continued desire to develop is unsustainable. The infrastructure is not equipped for a large influx of either people or traffic, with huge ramifications and pressures put on the local GP surgery, transport, roads and schools. Indeed, some secondary aged children from the village have had their places at Egglecliffe School refused in the past even though they live within the catchment area for that school. We also feel it is worth highlighting that whilst we accept that there will be a percentage of the new development classed as "affordable", it should also be noted that there is a surplus of houses right through the price range not selling in the village, with some being vacant for some considerable time. For the reasons stated Carlton Parish Council would wish to strongly object to this application.

Letter 2: In my capacity as Chairman of Carlton Parish Council, and further to my letter dated the 20<sup>th</sup> January 2015, I on behalf of Carlton Village wish to make further objections to the planned Hellens development. Following a recent meeting of some 56 concerned Carlton Village residents, I submit further cogent objections (found in the attached documents) on behalf of the village in regard to the further application by Hellens and their desire to develop further phases of housing in Carlton Village, on what is prime agricultural land. Several issues and concerns were identified and raised at the aforementioned meeting, with a small group of those present carrying out further work and research into this proposed build, which I attach in three separate documents. I would respectfully ask that these documents are carefully read and fully considered, as we believe that a full consultation has not taken place with regard to this application. We also believe that in line with a recent court case this recent application should be abandoned and the application started afresh.

Whilst I am not a technical expert on the content, I am convinced that the residents' concerns are genuine and should be carefully taken into consideration by those making such an important decision, a decision that in our opinion will have a devastating impact on the future of what still is a rural community. I would request this objection is considered firstly by the planning department and, if necessary, in time the full planning committee if appropriate, and I would reiterate our desire to meet with members of your department and members of the planning committee to further articulate our concerns. In conclusion this continued desire to develop is unsustainable and on behalf of Carlton Parish Council and the residents of Carlton I reinforce our strong objections to this application.

24. Carlton Village Residents  
Document 1

Rationale: Where a site is not identified through the development plan process, such as in this case, extra scrutiny is required to ensure the National Planning Policy Framework (NPPF) is not contravened.

Greenfield land: Hellens has not demonstrated that it is necessary to use Greenfield agricultural land, rather than e.g. brownfield sites or genuine infill sites within the limits to development. The government recognises that some development must take place on Greenfield land, but the thrust of the NPPF is a judicious approach. Para. 112 of the NPPF says that “Where significant development of agricultural land is demonstrated to be necessary (my emphasis), LPAs should seek to use areas of poorer quality agricultural land in preference to that of a higher quality”.

This raises two questions. First, a rationale and evidence must be provided for building on Greenfield land. Where has Hellens demonstrated that it is necessary to use Greenfield agricultural land, rather than e.g. brownfield sites or genuine infill sites within the limits to development? Second, even if it is considered necessary, LPAs can only satisfy NPPF requirements by knowing in fact whether the land is higher or poorer quality, i.e. by obtaining a report and comparative analysis from a competent person (NPPF definition). Has Stockton Council assessed the necessity of building on agricultural land outside the limits to development, where the site is not in accord with the emerging development plan? It cannot be reasonable that, as long as Stockton does not have an up to date development plan or 5 year deliverable housing strategy, unplanned and unjustified destruction of Greenfield land should result. Good quality farmland is a finite resource that needs to be protected to meet food and food security needs of future generations. Contrary to the applicant's Planning Statement, the land appears to be good quality, but not managed to optimise agricultural productivity. The author of the Planning Statement does not seem to be a competent person (NPPF definition) to survey and analyse quality. It is not essential to build on agricultural land and destroy in perpetuity a finite resource, when there is only a 3 week shortage (i.e. needed in February 2020) in the housing figures, and there are several other issues.

3. Limits to Development, intrusion and Closing the “Gap”: This is a Greenfield site that is completely outside the limits to development shown in the Consultation Local Plan. Nowhere does the proposal about the existing village. It is an “outlier”. The only place that it abuts proposed development is where the northern boundary adjoins the previously approved Hellens application 14/0637/FUL (not yet built). If approved, it could be built as an “island” in the middle of Greenfield land. Without the first approval (other than access road and services) being built this leaves the way clear for further infill applications closing the gap between the villages. The western boundary of Carlton is not “defined” in the way the applicant infers. Hellens first application started to close the gap. The westernmost points of Carlton are this (now approved but not yet built) and Green Leas. The western boundary for the rest of Carlton is significantly further east than this proposal, and there is no justification for closing it further. There is no fit with the existing village fabric, and the intrusive suburban design does not create the character of a village edge. The revised landscape scheme is inadequate to screen an exposed development. This application (14/3008/OUT) would build much further south and west than the existing village, and have a major impact in closing the “gap” between Carlton and Redmarshall, and establish a new, much shorter separation distance between the two.

4. Phasing: 14/3008/OUT is described as “Phase 2”. Collins English Dictionary defines a phase is “a stage in a sequence of events or chain of development” (my emphasis) what criteria have to be met for the LPA to accept an application as a “phase”? What is this Phase 2 of? Hellens clearly plan further phases, given that 14/3008/OUT deliberately encircles open land to the east, and “blind” road endings have been created in both their first (approved) and second applications that give access to greenfield sites on adjacent land. This is an important point because, if approved, this application would set a precedent for further applications on Greenfield land, which appears to be of good agricultural quality, and erosion of the greenspace that separates Stockton and the villages. Will Stockton give due weight to the



fact that not only is this application on Greenfield land, but it is designed to set a precedent for further extensive building on Greenfield sites?

5. Precedent: This application, together with 14/0637/FUL, forms a long finger of urban development penetrating Greenfield land that will be lost forever. It is surrounded on 3 sides by Greenfield land. This application is trying to pave the way to build on a much more extensive area of Greenfield land. It appears to be part of a bigger plan. This is evidenced by the use of the word “phase” (this was not used at the public consultation event), the encircling of Greenfield land to the east, creation of access roads (Hellens first and second applications) with “blind” endings leading to Greenfield land beyond. Future implication is apparent. This closure has already commenced with Hellens first (approved) application, and it becomes easier to call the land between infill.

6. Strong boundaries: There are no “strong boundaries” (i.e. road, railway, brow of hill or other substantial natural feature) in the near area to stop development (a newly planted narrow landscape buffer is not and never will be a strong boundary). If this is approved outside the limits to development, a precedent will be set for further applications to build across the whole of the visible Greenfield area. The strong boundaries are:

to the north, the road from Carlton to Redmarshall

to the east, Letch Lane

to the west, the road from Darlington back lane to Redmarshall

to the south, the brow of hill which is very close to Stockton.

There is a real risk that, if approved, this application will set a precedent that would lead to piecemeal development up to these strong boundaries. Whilst the visual amenity of this area is obviously not of national importance, it is a peaceful and tranquil agricultural area, with attractive views of the Cleveland Hills beyond. It is an important “green lung” that separates the villages from Stockton and each other, and is important as the rural context within which village character is set.

Hellens' applications and “phases” that “build in” access onto adjacent Greenfield for future development demonstrate a clear plan to erode and irretrievably damage the character of this area.

7. Design: NPPF embodies good design as a core principle and says (Para. 58) “Planning decisions should aim to ensure that developments respond to local character and history” and (Para 60) “It is proper to seek to promote or reinforce local distinctiveness”. Hellens two applications do not respond to local character and history or reinforce local distinctiveness.

Para. 64 of the NPPF says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Does Stockton consult a “competent person” to ensure good design and layout appropriate to village character? This does not seem to have happened for Hellens first application. Even though this is an outline application, the applicants longer term intentions have affected the quality of site layout for both applications. The piecemeal approach to phasing and the clear reserving of access to adjacent Greenfield land restrict options for good layout design, sympathetic to village character, on a site this size. Long wavy suburban style access roads and cul de sacs are not typical of village character. The indicative layout is an alien and generic suburban style that does nothing to promote or reinforce local distinctiveness, or respond to local character and history (NPPF Paras. 58 and 60). When Wynyard Village was being planned, the developers carried out a detailed survey and analysis of South Durham Villages (Carlton was in County Durham before the boundary changes). The findings were used to inform village character, materials and layout, house type, and hard and soft landscaping for the core Wynyard Village (not the wider Wynyard development which itself is suburban). Hellens has not carried out any survey and analysis of village character and history, and has not demonstrated how it is responding to that character. If Hellens' two applications are two phases of one development, where is the Design Brief and/or Design Concept Statement for both to make explicit how the design meets NPPF requirements? Preserving access to other Greenfield sites has been the key to Hellens Design Brief, and meeting NPPF requirements in the layout is noticeably absent. The opportunity to do so has been lost in the first application, making it very difficult to

retrieve it in this one. The indicative layout does not attempt to do so. Regarding play, there is no age appropriate play provision included. Young children should not be expected to cross a main road to reach the equipped play area. It is very difficult for landscape architects to respond to NPPF as required with good design when the skeleton of the proposal does not do so, and is suburban in style. The objectives of the landscape proposals should be to substantially screen at all height levels, what is an urban development in an exposed Greenfield location, and to respond to local character and reinforce local distinctiveness. The revised landscape proposals are inadequate, mainly because insufficient land has been allocated to provide an effective screening buffer. For six months of the year the alleged screening from existing roadside hedges and vegetation is ineffective, and SBC's own professionals did not take this into account when assessing the first application. Species in the internal layout have not been chosen with the character of Carlton rural village in mind.

8. Housing: The application says that Stockton does not have a 5 year deliverable supply of housing. However, Stockton's housing strategy figures are very close to 100%. The Council's 4<sup>th</sup> Feb quarterly update gave a figure of 4.94 years, using a base date of 30<sup>th</sup> September 2014. As the figures are now 5 months out of date, 100% may already have been reached. The proposed number of houses will not substantially assist Stockton to meet NPPF requirements, contributing only 0.66% to the Stockton total but would impact significantly on Carlton village. The harm that would be done through precedent if this was approved would far outweigh a 3 week shortfall in the housing figures. Given that Stockton has in place almost 99 %, or in time terms 4 years and 49 weeks of housing supply, and presumably more, given approvals since 30<sup>th</sup> September 2014, it is wrong that Carlton should be expected to take more housing that sets a precedent on Greenfield land outside the limits to development because of a small shortfall. The shortfall is just over 1% or in time terms is required in February 2020 (i.e. 3 weeks of the required 5 years); this should be planned through a proper strategic planning process that fully assesses sustainable development, not through an ad hoc proposal on Greenfield land outside the limits to development. An unsuitable location must respond to NPPF criteria. NPPF Para 49 seeks to ensure that the need for housing does not take second place to other policy considerations. However, in saying that "Housing applications should be considered in the context of the presumption in favour of sustainable development" that does not mean that those other considerations, including protection of the countryside, should be disregarded altogether. Given that both the 5 year Housing Strategy and up to date development plan are well advanced, residents think this application is premature. Creating a supply of housing does not mean that the need is there. Residents' comments have noted that houses in the village across the price range are not selling, and there is a recent approval to build 36 houses. About one mile away at Whitton, a housing site has been in development for approx. 5 years, and not completed as properties have not sold. Hellens' two applications safeguard access to adjacent Greenfield plots, and the lagoon is located where it can be added to in future. We therefore risk a damaging precedent for the permanent loss of Greenfield land, when justification has not been provided. Further points on affordable housing in relation to sustainable transport are included in that section below.

How and when does Stockton Council plan to make up the shortfall in 5 year housing supply, with buffer?

9. Sustainable services?: Much is made of how Carlton is a sustainable village – in the document "Planning the Future of Rural Services in Stockton on Tees "(2012 update report), Carlton is listed as 3<sup>rd</sup>, scoring 33, suggesting that all is well in terms of access to services. It is not. Existing residents without a car find access to services difficult. On the Future of Rural Services report figures, Carlton appears to be very sustainable. Looking more closely at the data however, Carlton scores 33 out of a possible 44. It's easy to come 3<sup>rd</sup> in a contest which only features low scoring competitors. The authors of the report placed a higher weighting on Employment, Education, Shops, and Bus access.

Employment: Ripon Farm Services is the largest employer in the village with and most of the workforce travels in to work from outside of Carlton. The pub employs less than 10 people, and most of these are on a part time basis. The village shop, which is also the post Office,

offers minimal employment. The village therefore has no significant employers. The majority of workers within the village must therefore commute elsewhere. Traffic is therefore a problem at peak times. Others rely on a bus service to commute to work or school.

Education: The local primary school has limited spaces and this year and secondary pupils have limited options within Stockton for access to education which is deemed satisfactory or above. Only Egglecliffe School achieved this in 2014 and no children from Carlton were offered places there. Ian Ramsey School was deemed inadequate by Ofsted and Bishopsgarth and North Shore academy were both listed as Requiring Improvement. Some children even travel as far as the free school at Thornaby. (Darlington Stockton Times p62. 13<sup>th</sup> March.) Children's ability to take place in after school activities is severely limited when public transport is limited and expensive, so social exclusion is exacerbated. The government's principle of choice of schools is ineffective.

Shops: Carlton has a Post Office within the village shop. The current shop has been for sale for over 2 years.

Transport: Carlton is classed as a Tier 2 sustainable village. Has this been reviewed to take into account of sustainable transport issues which affect access to services? Category 2 also requires pedestrian and cycle access to adjacent villages and services (i.e. Thorpe and Harrogate Lane (Tesco)). The assumption for Category 2 is that Thorpe and Letch Lane are almost fully paved (for cycling/walking) which is not the case, and a Letch Lane resident has objected to the application on this point, given traffic increases. Increased traffic means that the surrounding roads are not the quiet country roads they once were. Affordable housing (by definition for people of limited means) is central to the proposal yet Carlton has limited public transport of uncertain viability, and no community transport. There is no public transport daily after 6.50pm and none on Sundays. Bus and taxi fares are expensive. A round trip of 4 hours is common for a single visit to the GP surgery in Stillington by bus. Some residents have often walked to the doctor's surgery, only to find it closed because of a change in scheduled opening hours. When low income rural families run a car, typically it is used by the wage earner with the most difficult journey to work (or sometimes more than one job, of necessity) so that the rest of the family depends on public transport. Public transport is not sufficient to sustain the free movement of shift workers, the elderly and younger residents. Although there is a bus service, it was threatened with withdrawal last year, and in January 2015 the operator asked for a financial contribution from the Parish Council. Carlton has no control over whether other Parish Councils on the bus route make a financial contribution to the bus service, yet is being targeted as a village to take the affordable housing quota of other villages. In the meantime, new homes are advertised nearby (for £50,000 with help and £70,000 without help) which have easy access to all services. Since the report on the future of rural services was published, the bus services have changed significantly and offer limited services to and from Stockton, often necessitating a longer route to link to other villages. Furthermore, the report into rural services notes "It is impossible to predict the plans of commercial operators whose passenger data is commercially sensitive and is not provided to local authorities. Therefore, there is no indicator available to the Council as to how 'marginal' any bus service is". It cannot be conducive to effective planning to rely on a service which could be withdrawn at any time on commercial grounds. 14/3008/OUT does not satisfy Paragraph 34 of the NPPF which says that "Plans and decisions should ensure developments that generate significant movement are located where- - the use of sustainable transport modes can be maximised". How can this application be approved given the services issues, with very limited public transport of uncertain viability, and lack of community transport to fill the significant gaps?

Community involvement: The NPPF says (Core Principle) that planning should "be genuinely plan led, empowering local people to shape their surroundings" and says (Para. 69) that "Local Planning Authorities should create a shared vision (my emphasis) with communities of the residential environment and the facilities they wish to see. This site is not "plan led". The 2013 event was not timely, and the majority attending did not support building on this site. Further, many people find it difficult to read plans and the lack of an adequate location plan goes against NPPF principles of community participation. It also deliberately obscures the

true impact of the proposal in relation to both Carlton and Redmarshall villages, and closing the gap between the two. We wish to make clear that residents are very cynical about consultation events, as they feel there has been a lack of honesty, their views were misrepresented last time, and there is no independent scrutiny. Given the misinterpretation of the inadequate and outdated 2013 event, residents think that the community empowerment principle embodied in NPPF has been failed.

Climate Change, Flooding, Pollution and the Lagoon: Residents have serious concerns about these topics. These are covered in detail in a separate document: "Carlton Residents: Climate Change, Flooding, Pollution, Lagoon, Sewage and Drainage Issues". This sets out why Carlton Residents do not think that Section 10 requirements of NPPF are met. Several questions regarding these points are included in the Summary and Questions document.

Conclusion: The NPPF requires a balanced approach to sustainable development. This means that adequate information to satisfy requirements must be provided for each of the 3 strands. This has not been done. The case has not been proved for development at this location.

Decision making: Will the Planning Committee make a site visit and walk to the southern boundary of the site to see how far out into Greenfield land it is, and view the drainage ditch? If possible, 2 or 3 residents would like to speak at the site visit to explain resident's views.

#### Document 2 Climate Change, Flooding, Pollution, Lagoon, Sewage and Drainage issues

Stockton has experienced recent flooding incidents at Brown's Bridge, Billingham Bottoms and Cowpen Bewley. Given increasing extreme weather events, residents have very serious concerns about flooding, pollution, the lagoon, sewage and drainage issues.

Section 10 of the NPPF (Meeting the Challenge of Climate Change, Flooding and Coastal Change) says (Para. 99) that "Local Plans should take account of climate change over the longer term including factors such as flood risk", and (Para. 103) "When determining planning applications, LPAs should ensure flood risk is not increased elsewhere". Para 101 says that "The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites in areas with a lower probability of flooding". Has Stockton Council carried out a Flood Risk Sequential Test for this site?

"Letch Beck" is classed by the official Environment Agency website as at high risk from agricultural sediment and is also a nitrate vulnerability zone from surface water. Groundwater quantitative quality is also classed as poor and no improvement is envisaged for the future. Chemical quality in the area is classed as poor and deteriorating. There are no quality measuring points along the beck at present, and none envisaged for the future, so how can any overflow from the lagoon be picked up, let alone remediated? The lagoon is supposed to alleviate flooding, so will Stockton Council indemnify householders who may suffer flood damage as a result of any failure of the lagoon? There is likely to be an increase in pollutants in the lagoon due to household activity on the proposed sites and subsequent settlement/evaporation. If the lagoon overflows or leaks, there is likely to be an increase in pollutants in the slow moving beck. The area already suffers from poor groundwater quality without the addition of eg garden fertilisers and weedkillers, car shampoos, patio cleaners etc.

There are several pinch points downstream of the development located close to homes and already susceptible to flood. Residents have seen the level of floodwater rise over the past few years. These pinch points by their very nature constrict flow causing it to rise to garden level. The narrow and deep channel creates an increased risk for child safety. Given these points, and that the flood risk report submitted by the developer accepts there will be an increase in surface water run off, how can Stockton be satisfying NPPF, (Para. 103) "When determining planning applications, LPAs should ensure flood risk is not increased elsewhere"? If flood risk is increased elsewhere, Stockton and/or the developers should indemnify householders.

Regarding release rate, the flood assessment report by the developer states the existing surface water run-off from agricultural land is at 2 l/s. However, this is via seepage over the whole development site. The report states there will be an increase in the surface water run-off and

it is proposed to restrict this by means of a containment (either piping/tank, lagoon) with a Hydro Brake control (vortex control through back pressure). The proposed brake is 5 l/s. The contained surface water is now held for discharge into the ditch from a single point. The force of flow as it is released will be greater than the existing natural seepage rate which is relatively slow as it seeps through the ground. The concentrated discharge will create a powerful flow causing it to arrive at pinch points faster and is therefore likely to add to flooding issues. The flooding has many causes not easily overcome by the simple addition of containment vessels. The ditch runs for over two miles passing through many pinch points, including tunnels, 22inch drains, silt and debris as it continues a slow journey to a local stream at least two miles distant.

The so called "beck" is actually a farmland drainage ditch. Has a competent authority properly inspected and understood the complexities of the drainage system? We ask that the ditch is surveyed to examine its suitability as a means of discharge of surface water from the village and potential development areas. It meanders for about 2 miles through farmland (difficult terrain) until its next junction. Its route is obstructed by fallen trees, dead branches, silt, bank collapses and overgrown bushes. It is not a fast flowing stream that efficiently carries water for effective dispersal as do the water authority drains. Clearance of the ditch is reliant on landowners and is therefore inconsistent and unpredictable. It causes considerable concern as it is simply a large sluggish ditch taking slow flowing surface water from farm fields, village and countryside. It is imperative no more water is forced along its course. Surface run off with household and garden chemicals will go into the lagoon. Any pollution overflow from the lagoon into the ditch would not be quickly dissipated, but would concentrate. Farm animals, wildfowl and wildlife have access and can drink from this water, with a risk of contaminants entering the food chain. The fishing lake (opposite Ripon Farm Services) is a magnet for wildlife and wildfowl, which regularly travel to other water bodies in the area; they will also use the lagoon with its contaminants.

Who is the competent authority who will monitor and measure pollution, and at what frequency?

Other concerns include sewage smells and water volumes. The pumping station within Carlton was recently updated to take on increased levels of use. However, even since the new pumping station was installed, residents alongside the beck/ditch have noticed sewage smells and sewage overflow. There is clearly still a problem, even before additional discharge from 36 houses to be built. There is a concern from residents about the capacity of the sewage system to deal with extra development, both at the pumping station level and also within the capacity of the system to carry sewage to the Treatment Works at Whitton. This is clearly a current and unacceptable health risk which needs to be addressed before any further development takes place? This is a particular concern, despite the assertion from NWA that the existing system can handle the additional sewerage?

The flood plain check (from property search during house purchase) for Willow Bridge shows the flood risk as Class 3-high risk. This is all downstream of the new development. Residents at the Poplars and Willow Close are alarmed by flood risk having seen the ditch water level rise to dangerous height close to their homes at times of winter flood. This ditch is not suitable for the discharge of surface water from any development, and it is clear that an inspection has not been carried out to ensure its suitability for the purpose. The Evening Gazette (Sept. 2012) said that the Fire Brigade noted flooding incidents reported, including Letch Beck through Carlton village.

In 2013, some gardens had standing water for the first time in at least 30 years because of the high water table. Despite recent drainage works, the Willow Bridge chicane still has a Y shape of surface water (as it moves to the ditch) during and after heavy rain. If the ditch is full from increased run off there will be standing water (and pollution?) on the road at this low lying point. Several points along Letch Lane also hold standing water in heavy rain.

Residents do not think that Section 10 requirements of NPPF are met. Several questions regarding these points are included in the Summary and questions document.

Carlton Residents-Summary and Questions Hellens Development 14/3008/OUT

This "Summary and Questions", and the two separate documents "Further explanation" and

"Flooding, Pollution, Lagoon, Sewage and drainage issues" have been prepared following a meeting on 16<sup>th</sup> February 2015 attended by 56 village residents. The three documents must be read together.

The site has not been through the development plan process- extra scrutiny is needed to ensure the NPPF is not contravened.

The site is now described as a "Phase", but was not a phase at the consultation event.

What criteria have to be met for the LPA to accept an application as a "Phase"? What is this "Phase 2" of?

The application is premature, given the no. of other issues, and that both development plan consultation and 5 year housing processes are well advanced.

How and when does Stockton plan to make up the shortfall in 5 year housing supply, with buffer?

The land appears to be good quality but not managed for optimum agricultural productivity.

It is not reasonable or essential to build on agricultural land and destroy in perpetuity a finite resource, given 3 week shortfall in housing supply, and development plan consultation ends mid March.

The applicant has not demonstrated that it is necessary to build on agricultural land (NPPF requirement). Where is Stockton's evidence that it is essential to build on greenfield agricultural land outside the limits to development rather than e.g. brownfield sites or genuine infill?

The thrust of the NPPF ("seek to use areas of poorer agricultural land in preference to that of a higher quality") is a sequential approach. This can only be achieved if the Local Plan is in place, so that genuine comparisons of higher or lower quality (based on competent assessment) can be made.

Where is the competent person's comparative assessment?

The harm that will result through precedent for further development if this application is approved will cause long term damage that far outweighs the 3 week shortfall in housing figures. Access to adjacent greenfield plots is integral to the design.

The view from the 90 degree bend on Letch Lane shows how the gap between Carlton and Redmarshall will be reduced.

Has Stockton asked for before/after images (not just summer) to show blurring of separation between the villages that will result?

There are no strong boundaries to limit further development.

Will Stockton give due weight to the fact that not only is this application on greenfield land, but sets out to establish a precedent for further extensive greenfield development?

The proposal does not respond effectively to village character and history, and piecemeal plot development exacerbates the problem. Indicative design is alien and suburban in style and does not meet NPPF (paras 58, 60 and 64) requirements. Preserved access to adjacent plots limits potential for village appropriate design, given size of plot.

Does Stockton Council consult a competent person (NPPF definition) to assess design. Why is an explicit Design Brief/Design Concept Statement missing from both Hellens applications?

It is difficult for the landscape architect to respond to village character and history because the "skeleton" of the scheme has not done so. Landscape proposals are inadequate to screen an exposed greenfield development, because insufficient land has been provided to form an effective buffer to screen at all height levels. Internal landscaping is ornamental and does not respond to village character.

A competent person for urban landscape may not be trained and/or experienced in the analysis and strengthening of historic village character. Has Stockton consulted a competent person with these skills?

There is no age appropriate play provision within the site. Young children should not be expected to cross a main road to access the equipped playing field.

Several concerns about climate change, flooding and pollution, given increasing incidence of extreme weather events. Residents do not believe that the relevant authority has carried out proper surveys to understand the complexities of the existing drainage system. Surface water

"hotspots" in the village will be exacerbated by more building on greenfield land. Sewage smells and water volumes are concerns.

Has Stockton carried out a Flood Risk Sequential Test?

Can Stockton guarantee that properties downstream will not be more prone to flooding as a result of this development?(NPPF requirement).

Will Stockton Council and Hellens give a guarantee that the surface water run off will never exceed the existing run off rate of 2 l/s and that any costs associated with damage due to any breach is compensated ?

Can Stockton guarantee that the lagoon will not overflow?

We ask Stockton Council to have the ditch from the development site discharge point to its meeting with the nearest brook examined by a competent person, with a report of findings.

Who will be responsible for maintaining the lagoon and slow release system. How often will it be monitored?

Will someone now monitor Letch Beck at an appropriately frequent interval?

How is the toxicity of pollution from the mixture of everyday chemicals managed so that it is not injurious to human and animal health?

Will Letch Beck be cleared of all existing debris and agricultural sediment?

Who will be responsible for ensuring that Letch Beck is maintained and kept clear in future, and at what frequency?

Will residents be allowed to speak at Committee when the lagoon details are presented?

Access to Services and Sustainable Transport (NPPF para 34 refers): Public transport is limited and of uncertain viability..

How can this application be approved given the very limited public transport of uncertain viability, and absence of community transport to fill significant gaps?

Access to the GP surgery can take 4 hours by public transport for a single appointment. Some residents have walked there several times only to find it closed because of a temporary change in opening hours.

Is Category 2 status still applicable, given the increase in traffic since the status was last reviewed?

The consultation event (October 2013) did not meet the spirit of NPPF community empowerment requirements, nor does a deliberately obscure location plan.

How can a timescale of more than a year and selective interpretation/misinterpretation of event feedback be acceptable?

Has Stockton asked Hellens for a plan that shows the location of this site in relation to the rest of Carlton and Redmarshall?

Will the Planning Committee make a site visit and walk to the southern boundary of the site to understand the true extent of greenfield land penetration and view the drainage ditch?

If possible, 2 or 3 residents would like to speak at the site visit to set out residents views.

25. Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections. Statutory nature conservation sites – no objection: This application is in close proximity to the Whitton Bridge Pastures and Briarcroft Pasture Sites of Special Scientific Interest (SSSI's). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that these SSSI's do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected species: We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted. If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Local sites: If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application. Impact Risk Zones for Sites of Special Scientific Interest Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the Natural England website.

Biodiversity enhancements This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Landscape enhancements This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

26. Northern Gas Networks

No objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains record of the area covered by your proposals together with a comprehensive list of precautions for your guidance



- 27. Waste Management  
No comments received
- 28. Northern Powergrid  
No comments received
- 29. Tees Valley Wildlife Trust  
No comments received
- 30. Countryside and Greenspace  
No comments received

## **PUBLICITY**

- 31. Neighbours were notified and the application was given wider publicity through the display of a site notice and press advertisement. A total of 50 objection letters have been received from the following addresses with the main objections summarised below. The full details of the objections can be viewed on line at <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

- 1. Colin Goldie 9 Green Leas Carlton
- 2. Mr Geoffrey Reed, 5 Letch Lane Carlton
- 3. Mrs Susan Burn, 4 Garth Close Carlton (2 letters)
- 4. Mrs Claire Bourne South View Carlton Village
- 5. Mrs Michele Holdsworth Hurstleigh Carlton Village
- 6. Mr Chris Wilson, 11 Poplars Lane Carlton
- 7. Mr Iain Fox 10 Willow Bridge Close Carlton
- 8. Mr Martin Tait 7 Willow Bridge Close Carlton
- 9. Mrs Sarah Turner 8 Willow Bridge Close Carlton
- 10. Mr Steven Clarkson 7 Thorpe Road Carlton
- 11. Mrs Christine Scott 10 Chapel Gardens Carlton
- 12. Mr Mark Stabler 4 Willow Bridge Close Carlton
- 13. Miss Michelle Hilton 5 Willow Bridge Close Carlton
- 14. Mrs M Parks, Carlton House Carlton Village
- 15. Mr John & Mrs Rose Moran The Granary Carlton Village
- 16. John Hunter 5 High Farm Close Carlton
- 17. Mr Brian Filmer 11 The Crescent Carlton
- 18. Charles And Grace Ophield 8 The Crescent Carlton
- 19. Mr Ken Chatto 3 The Crescent Carlton
- 20. Maureen & David Smith 1 The Crescent Carlton
- 21. Dr Jean MacLeod High Farm House Carlton Village
- 22. Mrs Janet Scott 8A Poplars Lane Carlton
- 23. Mr S F 15/1548/. \*letcher 8B Poplars Lane Carlton (2 letters)
- 24. Mr Alistair Burnett 9 Poplars Lane Carlton
- 25. C. Kerr 5 Poplars Lane Carlton
- 26. Mr Leslie Hamilton 5 The Crescent Carlton
- 27. E Fisher 4 West Garth Carlton (3 letters)
- 28. Derek Mills 4 Green Leas Carlton
- 29. Mr Ian Armstrong 37 Green Leas Carlton
- 30. Leonard Watson 28 Green Leas Carlton (3 letters)
- 31. Lesley Watson 28 Green Leas Carlton (3 letters)
- 32. A Mallen 29 Green Leas Carlton (3 letters)
- 33. Mrs Maureen Belcher 8 Chapel Gardens Carlton
- 34. Mrs Katherine Guest 6 The Crescent Carlton (2 Letters)
- 35. Mr Jeff Elliott 3 Ash Tree Green Carlton

- 36. A Magee Glen Cottage Carlton Village (3 letters)
- 37. Dr Helen Godfrey 11 Willow Bridge Close Carlton

32. The main objections relate to the following;
- i. Change in the character of the village
  - ii. Disproportionate scale of development (approximate 20% increase in village housing)
  - iii. Overdevelopment
  - iv. Increase in traffic/dangerous roads
  - v. Lack of Education Facilities
  - vi. Unsustainable location – lack of village services e.g. Doctors, Broadband, Employment, leisure facilities
  - vii. Lack of Public Transport – withdrawal of bus service
  - viii. Drainage problems/standing water on site
  - ix. No footpath links in village
  - x. No requirement for extra housing – many on sale in village
  - xi. Coalescence of villages of Redmarshall and Carlton
  - xii. Dishonesty of Applicants – Lack of Consultation on Phase 2
  - xiii. Devaluation of properties
  - xiv. Brownfield sites should be developed before greenfield
  - xv. Previous appeal decision for the stables is still relevant
  - xvi. Loss of open space
  - xvii. Visual Impact of the development/loss of historic landscaping/field boundaries
  - xviii. Economic Benefits of the development are short lived
  - xix. Other affordable homes are available less than two miles from Carlton village
  - xx. How can phase 2 be approved when impacts from flooding on Phase 1 are unknown
  - xxi. Layout of the proposal is urban in nature and not rural
  - xxii. Loss of agricultural land
  - xxiii. Screening will be ineffective in winter
  - xxiv. Who will maintain the screening/planting
  - xxv. Impacts on Ecology.

## **PLANNING POLICY**

33. 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.
34. 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

## **National Planning Policy Framework**

35. 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.

## **Local Planning Policy**

36. The following planning policies are considered to be relevant to the consideration of this application

37. 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.

38. 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

39. 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.

#### 40. Core Strategy Policy 6 (CS6) - Community Facilities

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

Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.

Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.

Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

#### 41. 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

42. 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.

43. 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.

44. 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.

45. Saved Policy EN13 of the adopted Stockton on Tees Local Plan

Development outside the limits to development may be permitted where:

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

## **MATERIAL PLANNING CONSIDERATIONS**

46. The main considerations of this application relate to the principle of development, sustainability of the site, landscape and visual impact, indicative layout and design, impact on neighbouring properties, highway related provisions as well as the impacts on drainage and ecology. These and other material planning considerations are considered as follows;

### Principle of Development

47. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth.
48. Paragraph 47 of the NPPF details the importance the Government attaches to boosting significantly the supply of housing. Paragraph 49 goes further by stating that when a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. Paragraph 215 also states that weight should be given to those policies in existing development plans according to their degree of consistency with the NPPF (i.e. the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
49. In terms of local planning policies there are no specific designations which apply to this site other than the site lies outside the limits to development, consequently the site forms part of the open countryside. Saved Policy EN13 seeks to strictly control development within the countryside beyond these limits and restricted to limited activities necessary for the continuation of farming and forestry contribute to rural diversification or cater for tourism, sport or recreation provided it does not harm the appearance of the countryside. However, a recent appeal decision for a single dwelling in Carlton (15/0645/FUL) (See Appendix F for location) was approved despite lying outside the village limits with the Inspector stating "*I am satisfied that policy EN13 is relevant to the supply of housing since any policy which seeks to restrict the locations where housing can take place must inevitably restrict its supply .... whilst EN13 restricts the supply of housing it also protects the character of the countryside. Insofar as it seeks to restrict the supply of housing, and in line with the Cotswold judgement, I consider that the policy is out-of-date and has little effect on my decision. However, insofar as it protects the undeveloped character of the countryside, it retains some validity to the extent that development outside development limits detracts from that character. .... The weight I give to policy EN13 is inevitably weakened by the lack of a 5-year supply of housing.*"



*In these circumstances the sustainability of the proposed development and the admittedly minor contribution it would make to housing supply count in its favour. Policy EN13 carries some residual weight to the extent that it protects the character of the countryside but in this instance, despite the site's location outside development limits, its development for a single bungalow would not lead to any significant harm to that character".* Therefore taking this into consideration, policy EN13 can only be considered in light of impact on the character and appearance of the countryside which is discussed later in this report.

#### The supply of deliverable housing land

50. When considering Housing applications a significant material consideration would be the requirement for the local planning authority to demonstrate a five year supply of deliverable housing sites. The Council is unable to demonstrate a five-year supply, the recent calculation (base date of 31 March 2015) shows that the authority has a deliverable housing supply of 4.50 with a 20% buffer which is more than the housing supply in the previous Phase 1 application which stood at 4.08 years with a 20% buffer, but still falls short of the required five years. Therefore, in accordance with paragraph 49 of the NPPF, policies in the development plan that deal with housing supply are considered out of date and proposals should be considered in the context of the presumption in favour of sustainable development.
51. As raised by objectors, it is acknowledged that there are many brownfield areas within the Borough that could accommodate a similar scale of development. The NPPF is clear that if a five supply is not available then housing sites must be brought forward through either the development plan process and/or through planning applications, no definite distinction is made between brownfield and greenfield sites, and as requested by objectors no sequential test is required and the applicants do not have to prove there is no available brownfield land.

#### Need for Affordable Rural Housing

52. Adopted Core Strategy policy CS1 provides the Spatial Strategy for the Borough focusing development in the Core Area and advises *'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'*.
53. 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'.
54. The proposal is for a mix of market and affordable housing, however, Policy CS8.9 pre-dates the NPPF which takes precedence and states *"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.'* The NPPF therefore permits some market housing on rural exception sites to deliver the affordable homes, and with regards to rural housing states *"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'*.

55. The 2013 Stockton-on-Tees Rural Housing Needs Assessment (SRHNA) considers general housing demand in the Rural Areas. Key findings of the study 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, again with a majority of need being for smaller properties.
56. 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. The applicant is proposing:  
32% of the total scheme units will be affordable, this equates to 8 affordable units;  
Affordable housing will be split between 30% intermediate (2 units) and 70% rented (6 units) tenures;  
Delivery of 3no 2 bedroom houses; 2no 3 bedroom houses and 3no 2 bedroom bungalows.  
The proposal would deliver the full 7 affordable homes as identified as a requirement for Redmarshall in the 2013 Stockton-on-Tees Rural Housing Needs Assessment which is a significant material consideration in support of the application.
57. The Head of Housing states that the affordable housing provision exceeds Council borough-wide policy target range set out in CS8 and the affordable housing requirements for Redmarshall detailed in the 2013 Stockton-on-Tees Rural Housing Needs Assessment, however as the proposal will make a significant contribution towards addressing affordable housing provision for people in the borough and the rural locality raise no objections to the scheme.
58. With regards to the market housing the Government state that local authorities are best placed to understand the needs of their own areas and the Spatial Planning Manager is of the view that the villages are close enough to the conurbation to meet the needs for rural housing. The SRHNA has identified a need for 107 market houses, however there is no indication where these houses would be provided, but as the golden thread running through the NPPF is sustainability, it is expected that these houses are provided within or adjacent to sustainable villages such as Carlton.
59. Objector's state there is not a need for the development in the area and many houses are up for sale and not selling. A simple internet search has shown 8 houses for sale of various prices which is not considered to be excessive for a village of this size. Nonetheless, there may be many reasons why these houses are not selling and this would not be a reason to refuse the application, especially given the identified a need for 107 market houses and other affordable housing as detailed in the Stockton-on-Tees Rural Housing Needs Assessment.

### Sustainability

60. One of the core land-use planning principles, in the National Planning Policy Framework is *"the need for planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable"*.
61. Objections have been received from residents commenting that the site is generally unsustainable and this development will put pressure on the limited services they do have.
62. 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 then village sites (sites with or adjacent to

sustainable rural villages as defined in the latest update of the planning for rural villages study) being last. Whilst noted, this is an emerging policy and there have already been significant recent permissions on some of the locations which would be considered as being a higher priority site within the emerging policy. The application site lies adjacent to the village of Carlton and in order to establish the levels of facilities available within the Borough's rural villages and assess their sustainability, the Local Planning Authority has recently updated the Planning the Future of Rural Villages study as an evidence base for the Local Plan and is regularly updated to take into account significant changes to available facilities in villages.

63. The outlying villages have been 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 sustainable enough to accommodate further infill housing. Carlton Village lies within tier 2 which has numerous services and facilities located within the village and bus services to services and facilities within the conurbation. The on-going update to the document "Planning the Future of Rural Village", has shown that there does not appear to be any changes to the services and facilities available to the residents of Carlton. As mentioned by objectors, the bus service is under pressure and in order to retain this facility the applicant has agreed to pay a sum for the next five years to ensure this bus service remains viable.
64. Concerns have been raised regarding the impact of the appeal scheme on local infrastructure, notably shops, secondary schools and doctors. However, notwithstanding the lack of objection from these bodies, or substantive evidence to suggest that their capacity is limited, as reported in the Inspectors Appeal Decision for Little Maltby Farm "*any new housing development proposed within this area of the Borough, whether at the appeal site or not, would have a similar impact*". No evidence has been put forward to state the services cannot cope with the development, and therefore it is considered that this in itself would not warrant refusal of the application.
65. The proposal is located outside of the development limits for the village but it is evident that prospective residents would have the same level of access to the services and facilities as those currently within the village which is acknowledged will be less than an urban area but is still at a level that has been assessed to allow the village to be classed as sustainable.

#### Economic/Social Benefits

66. It is recognised that a key benefit of the proposed development would be that it contributes towards addressing the shortfall in the boroughs 5 year housing land supply, as well providing 8 affordable housing units, which would exceed the requirement for Redmarshall. These have both social and economic benefits as set out within the three elements of the definition of sustainable development. Furthermore, the development would provide a number of jobs in the construction industry and supply chain in the short term and such benefits are consistent with the NPPF and in particular paragraph 17, which encourages Local Authorities to 'drive and support' economic development.
67. The disadvantage would be the loss of this private open area however on balance it is considered that the benefits of the scheme outweigh the disadvantages and the principle of development in this case is therefore considered acceptable unless it can be demonstrated that the proposal will cause significant harm and this matter is considered in more detail in the remainder of the report.

#### Landscape and visual impact

68. The site is located on the edge of Carlton, which has been subject to various phases of growth in the past although the village centre retains its traditional character of a distinctive Norman form of two rows of properties, facing each other over either side of a village green. This village green is now enclosed as front gardens but is still fairly legible. Away from the centre of the village the pattern of development changed with more modern housing developments apparent with differing house styles and ages.
69. The site lying outside the limits of development means it is classed as open countryside and therefore there is a degree of conflict with Saved policy EN13 of the Local Plan and Core Strategy policy CS10, which seek to protect the environment. The considerations in this application will be the same as Phase 1; however this development projects further south into the Countryside and further scrutiny needs to be given to the harm that would occur as a result. The site forms part of a larger site designation in the Stockton Borough Council Landscape Character Assessment and is classed within an area of high landscape and visual sensitivity with a low capacity for appropriate development. It is located within the 'West Stockton Rural Fringe' character area.
70. The proposed development will be seen from various vantage points and a Landscape visual assessment (LVIA) has been undertaken and assessed by the Highways, Transport & Environment Manager who advised on the need for landscape planting buffers to mitigate the visual impact of the development. Without appropriate mitigation the landscape character of the area would be substantially changed from one of an agricultural field to one of built development. Whilst landscaping will form part of the reserved matters application the applicant has provided a scheme in order to address the concerns that have been raised.
71. As in the previous application, when considering the impact of the development there are three relevant appeals, the first relates to the application site and was a proposal for a stable block and access track. The application was refused and the appeal dismissed with the inspector saying "*The proposed stable block would be set well away from and be visually unrelated to other buildings, occupying an isolated position in the countryside surrounding Carlton. The countryside in the immediate locality is characterised by open land with field boundaries formed by hedgerows and a general lack of isolated buildings and structures and "The proposal would introduce an isolated and noticeable feature, disrupting the otherwise open and undeveloped nature of the landscape surrounding Carlton. It would harm the character and appearance of the countryside and be contrary to Policy EN13 of the Local Plan"*. It is evident that the Inspector viewed the development as an isolated structure which could not be screened by existing landscaping, however it is considered that this development whilst significantly more substantial is different from the previous proposal as the development would not appear isolated but as a natural expansion to the village.
72. The other relevant appeals relates to development in Redmarshall Applications 07/2684/OUT and 08/0298/OUT, where the inspector commented "*Even accepting that existing hedgerows could be retained and augmented with new planting, I consider that development on the scale envisaged would represent a significant intrusion into the countryside that would not only be harmful in itself but that would also narrow the present open gap between the village and Carlton. I conclude on the second main issue that the proposal would seriously harm the character and appearance of the surrounding area, contrary to the aims of Local Plan Policies GPI and EN13"* and on the resubmission of a smaller scheme "*The site, which is a bare field, lies outside the settlement area of Redmarshall defined by the Local Plan. It can be seen from the surrounding rural area and is plainly not part of the built-up area of the village. I agree with my colleague's view that development in this open location at the interface of the village and the countryside, even on a smaller scale than previously proposed, would be intrusive and harmful to the rural landscape"*. The development at Redmarshall was on the edge of the village and would extend closer to Carlton, however whilst the proposed development under consideration would also extend closer to

Redmarshall, it is considered that the development, would not extend beyond the existing built form to the north (See Plan attached at Appendix F).

73. The western edge of the proposed development is defined by the existing field hedgerow and in order to screen this western edge of the development facing open countryside, and to maintain the visual gap between the two villages, the Highways, Transport and Environment Manager has suggested a landscape buffer of 3m in the form of a wide hedge of native planting which would assist in mitigating the views of the proposed development in particular winter views following leaf fall of deciduous trees. This buffer is in addition to an existing hedge which is located on adjacent land.
74. On the eastern boundary a new 3m wide landscape buffer along the eastern edge of the development inside the site boundary is to be provided. This buffer is supplemented by mature tree planting to provide some instant screening, whilst the smaller plants establish, and enhance the existing hedgerow on adjacent land.
75. The southern edge of the site faces open countryside and in order to mitigate views of the proposed housing development a wide landscape buffer is proposed along the southern boundary of the properties. This buffer is comprised of native planting.
76. The applicant has provided photomontages to demonstrate the proposed mitigation now and once mature (See Appendix G). The Highways, Transport & Environment Manager states that the proposed mitigation would provide beneficial screening of the development once mature, however, until the planting reaches maturity in 15-20 years' time, the proposed development would be prominent from certain viewpoints. The inclusion of semi-mature tree species within the planting mix will provide some instant screening during the establishment period, however, even after maturity the proposed housing will still be partially visible, although significantly screened from view by the proposed new planting.
77. The Highways, Transport & Environment Manager states any planting scheme will not have the same screening effect in winter as it does in spring and summer, however you would see filtered views of the development. The key viewpoints of concern were at some distance from the site, so the buffer will appear denser and is seen in conjunction with the existing hedgerow, providing better screening. As the planting scheme matures the buffer will become denser thereby increasing the screening effects particularly in the winter. The photomontages submitted with the application represent winter views, and those demonstrate effective screening/filtering of the development as the planting matures.
78. Should this mitigation be implemented then the Highways, Transport & Environment Manager will raise no landscape objections subject to a number of conditions which have been recommended including a condition regarding future maintenance, which was a concern raised by residents.
79. Overall it is considered that whilst it is accepted there would be a visual change from certain viewpoints this would not be significant enough to warrant refusal of the application and with the buffer planting as indicated, the development would not have a significant adverse impact on the character and appearance of the area and would still preserve a strategic gap thereby preventing coalescence between settlements.

#### Layout and street scene considerations

80. This proposed development will be accessed from Kirk Hill utilising the same access as the previously approved scheme (Phase 1). The current application is in outline form with all matters reserved for future consideration other than access; however an indicative layout plan has been submitted with the application to demonstrate how the scheme could be laid

out. Concerns have been raised regarding the design and layout of the development and the proposal being out of character with Carlton Village.

81. The development will be similar to Phase 1 which is modern in appearance; however given the housing mix with 1970's properties to the north and 1990's properties to the north-east, it is considered that this modern development will not have an adverse impact on the character in the area with the older parts of the village located around the historic core.
82. Concerns have been raised regarding the overdevelopment of the site, however the indicative scheme density is considered to be appropriate for the location (approximately 32 units per hectare).
83. The indicative plan provides some opportunities for landscaping which will provide a positive characteristic to the development, however as with Phase 1, in order to prevent small frontages being enclosed in a sporadic form in the future which would adversely affect the character of the street scene which should be viewed as a continuation of phase 1, a condition is recommended removing permitted development rights for means of enclosure.
84. In addition as with Phase 1, in order to prevent undue impacts associated with the proposed trees and hedges which are considered a fundamental part of the development and also prevent undue impacts from the higher density parts of the development and plots which appear to just meet the separation distances, a condition is recommended to remove permitted development rights for the erection of extensions to the properties.
85. The design and access statement says that proposals will be designed to recognise and address the recommendations within Secure by Design for New Homes (2010). A number of recommendations have been made by Cleveland Police and these have been forwarded to the applicant for action when preparing the reserved matters application.
86. In accordance with the requirements of Core Strategy Policy CS3(1) major residential developments such as this would usually need to be built to Level 4 of the Code for sustainable homes, however in March 2015 the government announced a new approach to the setting of technical housing standards in England, a condition has not therefore been recommended. However, the Policy also requires renewables to be provided on site. A condition has been recommended to address this and ensure 10% of total predicted energy requirements are met from renewable energy sources.
87. Overall it is considered that the indicative layout of the development demonstrates that the site could satisfactorily accommodate a proposed scheme for 25 dwellings.

#### Impact on neighbouring properties,

88. The main houses that will be directly affected by this development will be the houses to be built in Phase 1 of the development.
89. The indicative plans show that a development can be achieved whilst obtaining a sufficient distance from existing properties to prevent undue impacts on privacy and amenity but the full details will be considered at reserved matters stage.
90. In terms of construction, the Council's Environmental Health Unit has raised no objections to the application subject to a condition to limit construction working hours in order to reduce the impact of the construction on nearby residential properties and prevent any open burning on the site. Whilst the construction hours condition has been recommended the condition relating to open burning has not as this can be dealt with under other legislation.

91. Overall it is considered, the proposed site layout would not affect amenity or privacy of adjacent properties to a degree which would be unacceptable and warrant refusal of the application.

#### Highway related matters

92. A focus of objection from local residents, and the neighbouring Redmarshall Parish Council has been around the impact of the additional traffic that this proposal would result in, with residents highlighting existing problems with traffic and lack of footpath links. The access into the proposed development is located on the south side of Kirk Hill which is subject to a 30mph limit but approximately 85m to the west of the site the road is rural in nature and subject to national speed limit (60mph).
93. The trip generation of the proposed development has been ascertained and assessed and the Highways, Transport and Environment Manager confirms that Kirk Hill is considered to be suitable for the scale of development proposed. With regards to impacts on the wider area it has been confirmed that the contribution towards highway improvements in the West Stockton area made as part of Phase 1 will also accommodate the level of development proposed by this scheme, however The Built and Natural Environment Manager has requested a contribution toward sustainable travel as detailed earlier in the report. The applicant has agreed and this contribution forms part of the Section 106 Agreement should the application be approved.
94. The indicative layout has been assessed and generally accords with the requirements of SPD3 and associated guidance, however a condition has been recommended to ensure the final reserved matters application complies with the guidance. The site layout provides a footway connection, via the already consented development for 36 dwellings (14/0637/FUL), which links the access road to the existing pedestrian footway on Kirk Hill. This provides a link to the village centre and the bus stop.
95. A condition has been recommended to ensure that a Construction Management Plan is in place for the development of the site.
96. Whilst the various comments of the objectors have been noted and considered. The Highways, Transport and Environment Manager has assessed the scheme and is satisfied that the proposed development can be accommodated upon the highway network. In the absence of any objection from the Highways, Transport and Environment Manager the proposed development is not considered to pose any significant impacts on highway safety.

#### Impacts on Ecology & Biodiversity

97. The submission has included an Ecology Habitat and Protected Species Risk Assessment which considers the impact of the development on ecology, the assessment was undertaken in October 2014 with reference made to the original surveys carried out in August 2012 and March 2014.
98. The site has no specific wildlife or ecological designations, and the report indicates that there are no records of protected species at the site although some do exist within the wider area, that there are no features on the site that would support otters or water voles, that there is low or very low risk of the development affecting any Great Crested Newt habitat, Red squirrels and that there are no badger setts on the site.
99. The report does state that the habitats within the site provide suitable foraging habitat for some species, most notably bats and nesting birds and nesting birds were confirmed as present in the hedgerows which border the site. Recommendations have been made that no

site clearance, habitat management work or tree works is undertaken on the site until after the bird breeding season.

100. The report states that hedgerows within the site are relatively mature and species diverse. The western hedgerow is associated with a small stream. Hedgerows and streams are identified as priority habitats in the UK and Tees Valley Local Biodiversity Action Plan (BAP). Two UK BAP priority bird species were observed within the site) and the site has potential to host other BAP priority species, in particular bird species and possibly brown hare. There is no additional legal protection afforded to BAP priority species, although the local planning authority has a general duty to conserve biodiversity when exercising their duties and a number of recommendations have been made such as retaining all existing hedgerows and stream habitats to their current dimensions within any proposed development area, with a wide stand-off (minimum 5m either side) to ensure that their function as wildlife corridors is maintained and any surface water discharges to existing watercourses should be designed and implemented in a manner which sustains the ecological value of the watercourse.
101. This application is in close proximity to the Whitton Bridge Pastures and Briarcroft Pasture Sites of Special Scientific Interest (SSSI's). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application as submitted, will not damage or destroy the interest features for which the site has been notified and advise that these SSSI's do not represent a constraint in determining this application.
102. Natural England has also commented that the site has the potential for enhanced green infrastructure provision. Such matters would be formally considered at the reserved matters stage and are again covered within the mitigation measures of the submitted ecological report.
103. Overall, it is considered that with the implementation of the recommendations as detailed in the submitted ecology report, the proposal would have a limited impact on wildlife and ecology and would not unduly affect biodiversity within the Borough.

#### Quality of the Agricultural Land

104. Comments have been received from an objector with regards to the loss of agricultural land, indeed Paragraph 112 of the NPPF states 'Local planning authorities should take into account the benefits of the best and most versatile agricultural land. This is defined as grades 1, 2 and 3a of the Agricultural Land Classification (ALC).
105. The application site has been identified as grade 3 however this information cannot be relied on as the maps are not sufficiently accurate for use in the assessment of individual development sites. Nevertheless it is considered that whilst the proposed development would result in the loss of agricultural land from production the loss is not considered to be significant enough to warrant refusal on this ground alone.

#### Impacts on archaeology

106. The northern element of the Phase 1 lies within a site of archaeological interest and the applicant has submitted the results of an archaeological desk based study. The report concludes that although the site is adjacent to the historic core of the medieval settlement of Carlton, it is likely that its use though this period was agricultural and the archaeological interest is much reduced.
107. Tees Archaeology were consulted on the application and raised no objections, confirming that the information meets the information requirements of the NPPF with regards to impact



on the significant of archaeological remains and no further archaeological works are required.

108. It is therefore considered that the proposed development will not have an adverse impact on archaeology.

#### Flood Risk and Drainage

109. A number of concerns have been raised from neighbours and parish councils relating to drainage and flooding and the ability for the pumping station to handle the extra flows. The application site lies within flood zone 1 however to the southeast of the site around Letch Beck is flood zone 3.
110. The application is accompanied by a flood risk assessment which states *“development was found not to lie in an area affected by fluvial or coastal flooding. As the existing site consists of permeable grassed areas the proposed development will increase the impermeable area above that of the existing. This will ultimately increase the surface water discharge. To ensure that the proposed development will not increase the likelihood of flooding, either on site or elsewhere in the surrounding area, it is important to ensure that the surface water discharge rate is restricted to match the existing. The option of using sustainable urban drainage techniques within the drainage design will also be considered.* The report concludes that *“The proposed development will not exacerbate flood risk either on the site or to the surrounding area and the proposed development is not shown to be in a zone at risk of flooding and development of this site is therefore considered appropriate in relation to flood risk”.*
111. The report states that Northumbrian Water will not accept any surface water flows for the development and therefore it is proposed to discharge the proposed surface water flows into Letch Beck.
112. Northumbrian Water have confirmed that they advised that a foul flow of 4.14 l/sec can discharge into the 300mm diameter combined sewer at manhole 4607 and no surface water will be allowed to discharge into their network. NWL would have no issues to raise with the above application, subject to a condition requiring a scheme for the disposal of foul water be submitted for consideration prior to development commencing. Northumbrian Water has also made comments with regards to a combined sewer crossing the site. They also advise that they will not permit a building over or close to their apparatus. Given that the current application is in outline then this may affect the final layout but it appears the sewer is outside the built development area.
113. The Councils Flood Risk Management Team were provided with a copy of all the objections and have assessed the proposals and the comments from the residents and parish councils. They state that the measures highlighted to manage surface water runoff from the proposed development (Phase 2) are acceptable in principle. However as a detailed surface water drainage solution, for the development, has not been finalised at this stage this should be secured by condition. This detailed design will ensure that the scheme is fit for purpose and will take into consideration matters such as restricted discharge rates, required storage volumes, water quality and long term maintenance.
114. An application to discharge conditions relating to drainage on Phase 1 has been submitted which includes the drainage for Phase 2. This condition has not been discharged as the application includes this current application under consideration but plans shown a SUDs scheme with a swale and lagoon this arrangement will mimic current surface water runoff rates and provide a surface water management solution that in principle could be supported.

115. Whilst the objections from residents and the parish councils have been noted, conditions have been recommended as suggested by the Council's Flood Risk Management Team, and Northumbrian Water in respect to limiting surface water run-off from the site whilst Northumbrian Water have confirmed foul water can connect into their existing system in the area subject to details.
116. It should be noted that whilst the drainage strategy will provide the drainage for the proposed developments it will not resolve problems of flooding elsewhere in Carlton and Developers cannot be required to provide solutions to an existing problem but only to ensure that the proposed developments do not worsen the current situation.
117. Concerns have been raised regarding the maintenance of the beck and stream outwith the application site. The Local Authority as the Local Lead Flood Authority has a duty under the Flood and Water Management Act 2010 to monitor and manage flood risk on all watercourses and drainage ditches and have powers under the new act to serve notice on landowners to remove any potential flood risk affecting any watercourse or drainage ditch that flows through their land, should the owner not carry out the required maintenance the Authority can take action.
118. In view of these matters and the lack of objection from the key consultees in relation to drainage and flood risk, it is considered that there would be no undue impacts on the risk of flooding in the surrounding area as a result of this proposed development, subject to the conditions as recommended.

#### Education

119. Objections, including those from the Parish Councils are raised in respect to the lack of available school places. As with all major residential developments, the demand would be provided for (if places were required at the time of commencement) via a formula based contribution as required by the councils Supplementary Planning Document 6.
120. This requirement will be included in the Section 106 Agreement should the application be approved.

#### Land Contamination

121. A phase 1 environmental desk study accompanies the application which has been considered in detail by the Councils Contaminated Land Officer. The report recommended that a Phase II investigation is undertaken to determine any other potential contamination risks the scope of which is to be confirmed.
122. The Contaminated Land Officer raises no objections that would prevent the development being implemented, subject to a number of conditions based on the findings in the submitted report. These conditions have been recommended along with a condition relating to unexpected land contamination.

#### Other planning considerations

123. Objections have been raised regarding the Statement of Community Involvement (SCI) and the interpretation of the results and also the lack of a new SCI for Phase 2. These comments have been noted, but as there is no statutory planning requirement for a SCI to be undertaken and does not form part of the approved documents this would not be a reason to refuse the application.

124. Concerns have been raised that this is part of a bigger picture and more phases are to follow. No further applications have been received for any future phases, however they would be considered on their own individual merits against relevant planning policy at such time should they be submitted.
125. Concerns have been raised that the development is contrary to the High Court Decision (Sage v SOS) however this is a new application and not a revision to the first and therefore the decision in question will not apply. The proposed drainage of the scheme was a condition of the approval and therefore in discharging this condition a decision can be made as to the appropriate drainage solution without again being contrary to this decision.
126. Northern Gas Networks have advised that they have no objections to the proposal but that there may be apparatus in the area and the developer should first contact them before commencing any development. An informative has been recommended to address this.
127. Objections have been received in relation to devaluation of property prices, which is not considered to be a material planning consideration.

### **CONCLUSION**

128. The development is an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicate otherwise having regard to the development plan. However the guidance in the National Planning Policy Framework makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot demonstrate a five year supply of deliverable housing sites. Also housing applications are to be considered in the context of the presumption in favour of sustainable development. It is considered that there are important material benefits arising from the proposed development and there are not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole.
129. Other material considerations have been considered in detail and the development as proposed is considered to be acceptable in terms of visual impact and highway safety, it does not adversely impact on neighbouring properties, archaeology or the ecological habitat and flooding
130. It is considered that in the planning balance, although this proposal is out-with the limits for development, there are no designations on site or circumstances which would outweigh the matters of the need for a deliverable 5 year supply of housing and the scheme will provide the affordable housing requirement for Redmarshall as identified in the Stockton Rural Housing Needs Assessment.
131. For the reasons stated above and detailed in the report it is recommended that the application be Approved with Conditions and subject to the completion of a Section 106 Agreement as detailed within the Heads of Terms.

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062**

### **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 drainage 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 sufficient to warrant refusal of the application.*

**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 contributions to improvements. There are no other notable impacts on community safety recognised within the assessment of the proposed development*

**Background Papers:**

*The Town and Country Planning Act 1990.*

*National Planning Policy Framework*

*Stockton on Tees Local Plan Adopted Version June 1997*

*Core Strategy Development Plan Document March 2010*

*Supplementary Planning Document 3: Parking Provision for New Developments*

*Supplementary Planning Document: Open Space, Recreation and Landscaping*

*Supplementary Planning Document 6: Planning Obligations*

*Application File and Relevant Planning History as referred to in the report.*