

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**17<sup>th</sup> February 2016**

**REPORT OF DIRECTOR OF ECONOMIC  
GROWTH AND DEVELOPMENT SERVICES**

**15/2161/REM**

**Mount Leven Farm, Leven Bank Road, Yarm**

**Reserved matters approval for the erection of 332 no retirement dwellings, 68 bed nursing home and community facilities.**

**Expiry Date 17 February 2016**

**SUMMARY**

The application site forms part of the Mount Leven Farm site, which encompasses a group of former farm buildings and agricultural fields with the existing group of buildings partially visible from Leven Bank Road. Immediately to the east of the site lies the River Leven valley with the residential properties of Ingleby Barwick beyond. To the west of the site lie a variety of residential properties which form the eastern edge of Yarm. Opposite (north) of the site at the junction of the River Tees and River Leven lies the Round Hill scheduled ancient monument. Also to the north/north-west of the site also lie a series of agricultural fields. To the south of the site lie additional fields with a small group of residential properties and Leven Bank Road.

Planning consent is sought as part of the reserved matters approval for the erection of 332 no retirement dwellings, an 68 bed nursing home and the associated community facilities. The proposed dwellings will consist of a mix of one, two and three bedroomed properties and include provision for a number of additional facilities for future residents. These include an open 'parkland' setting, tennis court, bowling green, community hall and convenience store.

As part of the consultation process a total of 85 letters have been received. These include 70 objections and 15 letters of support. Many of these comments relate to the principle of development and not the actual detail of proposal. With regards to objections these include; loss of green wedge/tees heritage park; unsafe access and existing traffic problems; no need for this type of development/housing; impact on existing services and infrastructure; and, the impact on residential amenity. The supporting comments however favour the associated benefits of the country park; encourage the level of investment and job creation; and' the associated benefits and needs for bungalows/a retirement village.

Although the concerns of the objectors and supporters are noted, the principle of the retirement village on the site has been established as part of the outline planning permission granted by the Planning Committee in 2013. The main considerations regarding this application therefore surround the acceptability of the final details for example its layout, design, provision of landscaping and the associated impacts. As a whole, the scheme is considered to be visually acceptable, will provide adequate landscaping and not have any significant impacts on levels of residential amenity or highway safety. The proposed development is therefore considered to be acceptable in all regards and is recommended for approval subject to those conditions within the report below.

**RECOMMENDATION**

That planning application 15/2161/REM be approved subject to the following conditions and informative(s);

**Approved Plans;**

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

<b>Plan Reference Number</b>	<b>Date on Plan</b>
1505.10	1 September 2015
1505.11A	9 February 2016
1505.12D	9 February 2016
15.0513B	9 February 2016
1505.14C	9 February 2016
1505.15B	9 February 2016
1505.16B	9 February 2016
1505.17E	9 February 2016
1505.18	10 September 2015
1505.19	10 September 2015
1505.20	10 September 2015
1505.21	10 September 2015
1505.22	10 September 2015
1404401 A	9 February 2016
1404402 C	9 February 2016
1404403 C	9 February 2016
1404404 C	9 February 2016
1404405 C	9 February 2016
1404406 C	9 February 2016
1404407	22 December 2015
1404408 01a	9 February 2016
1404408 02a	9 February 2016
1404408 03a	9 February 2016
1404408 04	9 February 2016
1420/P/003B	10 September 2015
1420/P/004B	10 September 2015
1420/P/005B	10 September 2015
1420/P/006B	10 September 2015
1420/P/007	1 September 2015
1420/P/008	1 September 2015
1420/P/009	1 September 2015
1420/P/010	1 September 2015
1422/P/011	1 September 2015
1420/P/012	1 September 2015
1420/P/013	1 September 2015
1420/P/014	1 September 2015
1420/P/015	1 September 2015
1420/P/016	1 September 2015
1420/P/017	1 September 2015
1420/P/018	7 September 2015
1420/P/019A	10 September 2015
1420/P/026	9 February 2016
1420/P/027	9 February 2016
200-31	1 September 2015
200-24	1 September 2015
200-23	1 September 2015

200-015 A	22 December 2015
200-14	1 September 2015
200-13	1 September 2015
200-12	1 September 2015
200-11	1 September 2015
200-09 A	22 December 2015
200-08	1 September 2015
200-07	1 September 2015
200-06	1 September 2015
200-05	1 September 2015
200-04	1 September 2015
200-03	1 September 2015
200-02	1 September 2015
200-01	1 September 2015
1404409	1 September 2015
1404410	1 September 2015
1404411A	1 September 2015
1404412A	1 September 2015
1404413A	1 September 2015
1404414	1 September 2015
1404415	1 September 2015
1404416	1 September 2015
1404417	1 September 2015
1404418A	1 September 2015
1404419A	1 September 2015
1404420A	1 September 2015
1404421A	1 September 2015
1404422	1 September 2015

**Reason:** *To define the consent.*

**Materials;**

- 02 ***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 hereby approved dwellings have been approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved detail.***

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

**Means of Enclosure;**

- 03 ***Notwithstanding those details submitted as part of this application, the means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be agreed with the Local Planning Authority before such fencing is erected. Such means of enclosure as agreed shall be erected before the development hereby approved is occupied.***

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

**Planting details;**

- 04 ***A detailed planting scheme in accordance with those landscaping principles submitted and agreed as part of this application, shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the first dwelling. Such a scheme shall specify final tree/shrub types and species,***

**stock size, numbers and densities. The works shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.**

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

**Hard Landscaping:**

- 05 Notwithstanding any description contained within this application, prior to the first occupation of the hereby approved development full details of hard landscape works shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and construction methods; minor artefacts and structures (e.g. incidental buildings and street furniture).**

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

**Cycle parking:**

- 06 Prior to commencement of the development hereby permitted, details of all cycle parking provision (including secure covered cycle storage for staff) shall be submitted in writing to the Local Planning Authority for consideration and approval. The approved scheme shall be implemented in full and those facilities available for use of the hereby approved extension.**

**Reason: To ensure the provision of facilities to enable the use of sustainable forms of transport.**

**Removal of PD Rights - All Householder**

- 07 Notwithstanding the provisions of classes A, B, C, D & E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (No.2) (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: To adequately control the level of development on the site to a degree by which the principle of the permission is based.**

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

**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

## **BACKGROUND**

1. In the early 1990's two outline planning applications were submitted for a residential development on the site. The first application sought permission for residential development alongside a new roundabout (ref; 90/1690/P). A later application again sought outline permission for residential development although this time alongside a leisure/recreational development which included a 9 hole golf course (ref; 91/0585/P). The first application was refused on the basis that the additional access would have created an undue hazard to other road users and that the area as a substantial landscape area and a green wedge between Yarm and Ingleby Barwick and second application was not determined. Appeals against the decision of the first application and on the non-determination of the second application were lodged. In dismissing the appeal the inspector had taken the view that the different characters of Yarm and Ingleby Barwick required adequate separation to prevent their visual coalescence, furthermore the view was given that the wooded slopes of the River Leven valley would not achieve the degree of separation required. It was however, considered that a new junction of an appropriate design could be accommodated to serve the development.
2. More recently outline planning application was submitted for a retirement village and associated facilities (ref; 12/1546/OUT). This application was refused by the Planning Committee due to the impact of the development on the green wedge and its impact on highway safety. A revised application (ref; 13/0776/EIS) was then submitted and was approved subject to conditions and a section 106 agreement by members of the planning committee on the 10<sup>th</sup> July 2013.
3. Members may also be aware of a recent application (ref; 14/0807/OUT) for a small scale residential development of 14no dwellings off Busby Way, Yarm that lies to the west of this application site. Although refused by the Local Planning Authority due to the impact on the green wedge and amenity of neighbouring residents, the application was allowed on appeal. In addition there is also a planning application currently under consideration for the construction of a country club at Hedgeside to the south of the application site (re; 15/0527/OUT)
4. Other development proposals that are related to the application site are for small scale extensions and alterations to existing buildings in and around the complex of former farm buildings (App ref; 5385, S431A, 5431C, S1430/77, S1661/78, S1420/79, S739/81, S2730/81, S620/85, 92/1209/P, 99/1919/P, 00/0819/P, 00/1716/P, 01/1077/P, 01/1078/P, 06/0751/FUL & 07/3035/FUL).

## **SITE AND SURROUNDINGS**

5. The application site forms part of the Mount Leven Farm site, which encompasses a group of former farm buildings and series of agricultural fields. The existing group of buildings sit on the plateau close to the valley edge and is partially visible from Leven Bank Road. The site itself is fairly level with only small fluctuation across the site as a whole, before sloping down (from south to north) as the land meets with the River Tees. Opposite the site at the junction of the river Tees and River Leven lies the Round Hill scheduled ancient monument.

6. Immediately to the east of the site lies the River Leven valley that rises steeply to either side, until it gradually begins to lower as it meets with the River Tees at the northern edge of the site. The river and its valley bound the site to the east and north and create a 'pinch point' within the centre of the site. The residential properties of Ingleby Barwick lies beyond to the east and north-east.
7. To the west of the site lies the residential properties which form the eastern edge of Yarm, these dwellings range in size and design and have no defining architectural character or style. The north/north-west of the site and the surroundings are dominated by a series of open agricultural fields on either side of the rivers with the Rondhill Scheduled Ancient Monument also to the north. To the south of the site lie additional fields with a small group of residential properties and Leven Bank Road.

## **PROPOSAL**

8. Planning consent is sought as part of the reserved matters approval for the erection of 332 no retirement dwellings, an 68 bed nursing home and the associated community facilities. The proposed dwellings will consist of a mix of one, two and three bedroomed properties and include provision for a number of additional facilities for future residents. These include and open 'parkland' settling, tennis court, bowling green community hall and convenience store. In accordance with the outline application 20% affordable housing will also be provided.
9. As part of the planning application process, the applicant has submitted revised details and also clarified that access arrangements are not sought as part of this reserved matters approval. For the avoidance of any doubt this reserved matters application is assessed solely on the basis of its appearance, landscaping, layout, and scale which are the outstanding matters to be considered following the outline approval.

## **CONSULTATIONS**

10. The following Consultations were notified and any comments received are set out below (in summary):-

**Highways Transport and Environment** – This application is for Reserved Matters approval with regards to appearance, layout and scale of buildings and landscaping of the site. The principle of the development, including the highway impact and necessary mitigation, has been agreed as part of the outline planning consent (13/0776/EIS).

The proposed development should be designed in accordance with the Council's Design Guide and Specification (Residential and Industrial Estates Development) and Supplementary Planning Document 3: Parking Provision for New Developments even though it is the applicant's intention that the development will remain private. This will ensure that should the development be offered for adoption at a later date the layout would be acceptable and will also enable the Council, as the waste collection authority, to carry out its duty under Section 45 (1) of the Environmental Protection Act 1990.

This memorandum takes account of the drawings submitted and any subsequent revisions received including:

- Drawing 1404401A – Mount Leven Village – Highways Design Site Layout
- Drawing 1404402C – Mount Leven Village – General Arrangement Villages 1 and 5;
- Drawing 1404403C – Mount Leven Village – General Arrangement Village 2;
- Drawing 1404404C – Mount Leven Village – General Arrangement Villages 3 and 4;
- Drawing 1404405C – Mount Leven Village – General Arrangement Spine Road;

- Drawing 1404406C – Mount Leven Village – General Arrangement Village 7;
- Drawing 1404407C – Mount Leven Village – General Arrangement Village 6;
- Drawing 1404408/1 – Mount Leven Village – Swept Paths;
- Drawing 1404408/2 – Mount Leven Village – Swept Paths sheet 2;
- Drawing 1404408/3 – Mount Leven Village – Swept Paths sheet 3;
- Drawing 1404408/4 – Mount Leven Village – Swept Paths sheet 4;
- Drawing 1505.10 - Care Home Shrub Planting Plan
- Drawing 1505.11 A - Community Hall Planting Plan
- Drawing 1505.12D - Village 1 and Care Home Structure Planting Plan 1 of 6
- Drawing 1505.13B - Village 2 and Community Hall Structure Planting plan 2 of 6
- Drawing 1505.14C - Village 3 and 5 Structure Planting plan 3 of 6
- Drawing 1505.15B - Village 4 Structure Planting plan 4 of 6
- Drawing 1505.16B - Village 7 Structure planting plan 5 of 6
- Drawing 1505.17E - Village 6 Structure planting plan 6 of 6
- Drawing 1505.23 - Indicative Boundary Section C-C
- Drawing 1427027A - Indicative section through detention tank
- Soft Landscape Implementation and Maintenance Specification and Landscape Management Plan and Plant Schedules Rev B Feb 2016

Having reviewed the plans submitted the Highways, Transport & Environment Manager considers that the proposals submitted are acceptable and therefore has no objection to the Reserved Matters approval with regards to appearance, layout and scale of buildings and landscaping of the site.

Detailed comments and conditions are included in Appendix 1 and Appendix 2 respectively (within the appendices).

**Adult Strategy** – The application does not provide a clear indication as to how the scheme will directly address a proven local need and although the scheme provides up to 50 affordable dwellings on the site, the nature and characteristics of this retirement village will result in inward migration of people from outside Stockton on Tees and will pose a considerable challenge to funded social care and health in the future. The development of a care home should be seen within the context of the current over supply in Stockton on Tees care home market and there appears to be little evidence of demand now or in the immediate future.

**Tees Archaeology** – The applicant has previously submitted the results of an archaeological field evaluation in the form of reports on geophysical survey and trial trenching (ref: 13/0776/EIS) and these are sufficient to understand the significance of heritage of assets of archaeological interest.

Archaeological features were noted in two areas; to the north-west of Mount Leven Farm a pair of Iron Age enclosures (c.400BC-50BC), containing several round houses were identified. A second concentration of archaeological features was identified to the south of the farm. These appear to be similar in date to the Iron Age enclosures, although the form of some of the geophysical anomalies is more reminiscent of Romano-British occupation.

At outline stage the option was provided to either design the archaeological sites out of the development to avoid impact or archaeologically excavate them in advance of development. A good portion of the site to the north-west of Mount Leven Farm can in theory be preserved beneath the area of open space although a combination of both approaches will be needed as the site to the south-east will be built over (Village 1) and it is likely that landscaping and playing surfaces at the open space may still have an impact. Planning conditions (26-28) were included and I would be grateful if these could be transferred across to any reserved matters consent for the avoidance of any doubt given the high significance of the remains.

**Spatial Plans Manager** – The Planning Committee of 10th July 2013 took the view that the benefits of a retirement village outweighed the impact on the landscape and open character in this location. The principle of development for a retirement village has been established. The proposal will provide a retirement village. However, the case officer will need to be satisfied that site specific matters such as landscape and layout are positively addressed.

**The Environment Agency** – I can confirm that we have no objections and no further comments to make at this time.

**Environmental Health Unit** – No objections as conditions were submitted from Environmental Health as part of application 13/0776/EIS; subsequently no additional conditions are required.

**Northumbrian Water** – No issues provided the application is approved and carried out within strict accordance with the submitted document entitled “Mount Leven Farm Condition 34 Foul Drainage”. In this document it states that no surface water will enter the public sewer system and that an off-site foul sewer will connect into Roundhill Avenue. We would therefore request that the Mount Leven Farm Condition 34 Foul Drainage form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy of preference has been fully explored.

**Stockton Police Station** – Although the developer may not wish to achieve Secured by Design accreditation it is recommended that the development looks to comply with the principles of Secured by Design where appropriate. I have no concern with regard the proposed layout apart from the proposed footpaths to rear of the dwellings this should normally be avoided to reduce vulnerability to the rear of dwellings. With regard the nursing home a suitable access control system should be installed to any communal doors.

**The Ramblers Association** – Given previous communication and together with the Country Park and bridge over the Leven to connect with the network in Ingleby Barwick, we are content with this application.

**Highways England** – No Objections

**Private Sector Housing** – No comments

**Friends of Tees Heritage Park** – FTHP and many others objected strongly to the outline application, which was approved by committee against their officers' recommendations. Although bitterly disappointed by the decision, we believed that the conditions and requirements applied to the approval, by the Council, sought to mitigate the effects of the development on the Leven valley and the Heritage Park aspirations. In particular the retention of the valley side within the application site as a "Country Park", which could form part of the Heritage Park infrastructure.

We had also hoped that the final designs for the built areas would show respect for its relationship with the valley visually, environmentally, and in terms of access. Unfortunately, the submission does not include any proposals for the river valley and the proposed housing development appears to turn its back on the valley, not visually integrated with it. Therefore, we feel unable to pass any meaningful comment on the submission in the absence of proposals for the Park area and how it will relate to the retirement village and the wider Heritage Park. The "Country Park" area was clearly included in the original application boundary and formed an integral part of the submission and we feel that proposals for its future must be included in the current application.



An important requirement was that the details for the future management of the Park area should be agreed, which once again could be linked to the management and activities of the Retirement Village development. This could affect the layout of the developed areas adjoining the valley and should be resolved before any approvals are forthcoming. These details have not been submitted.

In conclusion, we must object to the current submission in that it is "incomplete", as it does not address a significant portion of the application site, the Country Park, which was clearly a material consideration when the outline proposal was approved. We feel that further details need to be submitted before the current application can be properly considered.

**Councillors Patterson, Dixon and Harrington** – Yarm has huge over provision of school places in both secondary and primary age groups, compared to the number of children that live there with the remainder being transported in every day from other areas so it development is needed it is not for retirement homes. The location is within the Tees Heritage Park, and should never have been allowed to go ahead. However, as the scheme is to go ahead the following should be included:

1. It should be fully screened from the views of my residents by extensive planting of trees to form a dense woodland.
2. The proposed footbridge across the River Leven should not go ahead but alternatively funds should be handed over to SBC, so they can be included in bridge projects which are required to join up the Teesdale Way at Preston Park and the White House Farm area in IB.
3. Significant improvements are required to Leven Bank such as; a roundabout at the entrance to this new village; the junction of Low Lane/Glaisdale Road should include a right turn facility; Street lights should be provided from Glaisdale Road to Leven Bridge; Speed limit should be reduced to 40mph; Footpaths and Cycleways should be provided on Low Lane from Glaisdale Road to Ingleby Barwick; SBC should approach Highways England regarding additional access to the A19 from Low Lane; and, A Footpath & Cycleway should be provided from the junction of Low Land with Barwick Way, along to the roundabout near the Post House Hotel in the Middlesbrough

## **PUBLICITY**

11. Neighbouring properties were notified via letter whilst additional publicity was given to the application by a site notice and press advert. A total of 85 letters have been received. These include 70 objections and 15 letters of support, these comments are set out below (in summary):-

### **Objections**

- Loss of Green wedge and development is too close to the River Leven Valley harming the separation between Yarm and Ingleby Barwick
- Impact on the Tees Heritage Park
- Yarm has insufficient infrastructure for additional housing
- Impact of wildlife/wildlife corridor
- Roundabout on Leven Bank will cause a highway safety danger
- Will add to and exacerbate existing traffic problems around Yarm
- Application lacks sufficient detail particularly with regards to drainage, invasive species, Country Park and bridges
- The land falling within the Tees Heritage Park should remain unspoilt
- No provision has been made for an emergency access
- Overlooking
- Visual impact
- A retirement village would make residents a prisoner in their own home
- Lack of general publicity

- Creates a precedent for further development
- Lack of landscaping
- Development better suited to an alternative site
- No need for additional housing
- GP Services are already overstretched and additional dwellings will exacerbate problems
- Development will change form
- Many Council and Private old people's homes are closing
- If legal advice is correct then the Mount Leven Development has no means of access and the
- Council would have no option but to reject the reserved matters application
- Invasive species such as Giant Hogweed, Japanese Knotweed and Himalayan Balsam are all present in the Leven Valley which need to be managed appropriately.
- Proposal includes no doctors surgery increasing pressure elsewhere
- No allotments are included
- Planning Officers previously recommended refusal decision should be overturned
- Doubts over the credentials of the applicant and ability to deliver the scheme
- Loss of property value

### Objectors

1. Mr Evan Thomas - 442 Thornaby Road, Thornaby
2. Mrs Paula Cousin - 14 Battersby Close Yarm
3. Mr Geoffrey Mundy - 28 Crosswell Park Ingleby Barwick
4. Mrs Christine Mundy - 28 Crosswell Park Ingleby Barwick
5. Mrs Helen Jaques - 7 Bankside Yarm
6. Mrs Deborah Watt - Garth Cottage Leven Bank Road
7. Heather Boase - 14 Busby Way Yarm
8. Mrs Elaine Jackson - 3 Spell Close Yarm
9. Mr Graham Thomas - 1 Battersby Close Yarm
10. Jan Robinson - 54 Mount Leven Road Yarm
11. Mr Karim Akel - 55 Castlemartin Ingleby Barwick
12. Mr Bill Coverdale – 59 Castlemartin Ingleby Barwick
13. Chris Cooley - 1 Stevenson Close Yarm
14. Mrs Janice Graham - 10 Battersby Close Yarm
15. Mrs Valerie Robinson - 60 Mount Leven Road Yarm
16. Mr James Davis - 74 Mount Leven Road Yarm
17. Mr Ross Cousin - 14 Battersby Close Yarm
18. Mr Douglas Wilson - 21 Mount Leven Road Yarm
19. Mr Malcolm Robinson - 60 Mount Leven Road Yarm
20. Mrs Enid Harding - 21 The Slayde Yarm
21. Mr Christopher Reed - 15 Glaisdale Road Yarm
22. Dr Alistair McLee - 3 The Green Kirklevington
23. Mr Richard Finch - 15 Stevenson Close Yarm
24. Miss Nicola Mundy - 16 Beechwood Road Eaglescliffe
25. Mrs Katia Lightfoot - 18 Regency Park Ingleby Barwick
26. Mr Michael Joseph Molyneux - 33 Mount Leven Road Yarm
27. S Nelson - 14 Holme Land Ingleby Barwick
28. Mrs Julie Rock - 32 Crosswell Park Ingleby Barwick
29. Mr Andrew Wortley - 43 Glaisdale Road Yarm
30. Mrs Beryl Clare - 48 Grisedale Crescent Egglescliffe
31. H Pickering - 19 Church Road Egglescliffe
32. Mrs Marion Coleman - 29 Enterpen Close Yarm
33. Mr James Dietz - 16 Beechwood Road Eaglescliffe
34. Mr Robert Crallan - 7 Charrington Avenue Thornaby
35. Mr Alan Puddick - 58 Mount Leven Road Yarm

36. Mrs Vivienne Chadwick - 1 Seymour Grove Eaglescliffe
37. Mr Simon Tranter - 12 Bulmer Close Yarm
38. Mrs Ann Hill - 26 Crosswell Park Ingleby Barwick
39. Mrs Dorothy Fisher - 32 Atherton Way Yarm
40. Mr Shane Sellers - 2 Egglescliffe Court Egglescliffe
41. Mr Paul Mosley - Thorntree Farm Bassleton Lane
42. Leven Valley Protection Group - 28 Crosswell Park Ingleby Barwick
43. Mrs Elizabeth Puddick - 58 Mount Leven Road Yarm
44. Mrs Claire Akel - 55 Castlemartin Ingleby Barwick
45. Mrs P Curl -12 Battersby Close Yarm
46. Mrs G Brette - 11 Busby Way Yarm
47. Allan Cotton - 72 Mount Leven Road Yarm
48. Mrs P English - 66 Mount Leven Road Yarm
49. J Luck - 34 Pembroke Drive Ingleby Barwick
50. Mr McDonald - 19 Washford Close Ingleby Barwick
51. Alan Barber - Laneside Back Lane
52. D J Boddy - 24 Spitalfields Yarm
53. Patricia Caldwell - 6 Staindale Close Yarm
54. Mr James Jackson - 79 Davenport Road Yarm
55. Mrs Rutherford – 19 Battersby Close Yarm
56. Mr A D S Peat - 46 Valley Drive Yarm
57. Mrs V Hoey - 31 Hugill Close Yarm
58. William Wright - 22 Battersby Close Yarm
59. Mr A Harland - 49 Canon Grove Yarm
60. S E G Bradley - 5 Brisbane Crescent Thornaby
61. Kathleen Shipley - 10 The Rigg Yarm
62. Joan Fox - 2 Playlin Close Yarm
63. Mrs G Pinder - 99 Valley Drive Yarm
64. Marian Millington - 76 Mount Leven Road Yarm
65. John Millington - 76 Mount Leven Road Yarm
66. Mrs Karen Evans - 1 Kingsdale Close Yarm
67. Mrs Lisa North - 101 Valley Drive Yarm
68. Mrs P Curl – 12 Battersby Close, Yarm
69. Marian Griffiths, On behalf of Howson developments – Hedgeside, Leven Bank Road
70. Ken and Linda Dunbar – 29 Challacombe Crescent

Support comments:

- Roundabout will slow traffic down and will have passed all safety audits
- A large area of land is being 'gifted' to the community, which currently has no access for the public
- Development supports the Governments NPPF in building properties
- Country Club has not been approved and will lead to building within a strategic gap
- Development will be an asset to the area and high quality development
- Matters surrounding the access and principle of development have already been approved
- It will address the increasing challenges of an aging population
- Proposal is well designed and will provide a quality environment.
- Good quality bungalows are very much in demand
- The parkland is to be welcomed and Tees Heritage Group should help to manage this area.
- It will create income and a lot of jobs for the area
- It is a brand new idea for the area and possibly the country
- A need for bungalows in the south of the Borough
- Development accords with government policies to cater for a more elderly population

Supporters

1. Mr Jeffrey Banks - Glaisdale Rd yarm
2. Mrs Junnie McGregor - 62 Mount Leven Road Yarm (support)
3. Mr James S - 4 Levendale Close Yarm
4. Mr Michael Robinson - 10 Irthing Close Ingleby Barwick
5. Mr Paul Raffique - Follies Field Worsall Road
6. Dr Brian Liddell - Hauxwell Building West St
7. Mr Norman Landsbury - The Grange High St
8. Mr Giles Woldaf - 7 Cookridge St, Leeds
9. Mr Mark Radcliffe - Long Lane, Picton
10. Miss H Clark - Leftbank 18 Manchester
11. Ms Elspeth Gordon-Smith - 11 Cranworth Street Stalybridge
12. Mr Andrew Sherris - 18 Merlay Close Yarm
13. Rob Sherris - 18 Merlay Close, Yarm
14. Mr Mark S - 15 Merryweather Court, Central Street, Yarm TS15 9FF
15. Mr John Mason - 4 Levendale Close, Yarm TS15 9JJ

## **PLANNING POLICY**

12. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

### National Planning Policy Framework

13. 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

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

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

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

2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's

'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.

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

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

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

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

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

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

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

\_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

\_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;

\_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;

\_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

### **Core Strategy Policy 4 (CS4) - Economic Regeneration**

8. Additionally, support will be given to:

i) Suitable enterprises that require a rural location and which support the rural economy and contribute to rural diversification; ii) The establishment of new enterprises, particularly where related to existing industries, assisting them to evolve with advancing green technologies; iii) The expansion of research-based businesses associated with Durham University's Queen's Campus;

iv) Growth in sustainable tourism, particularly in the following locations:

a. The River Tees as a leisure, recreation and water sports destination, with regard given to the protection and enhancement of the character of tranquil areas along the river corridor between the towns of Stockton and Yarm;

b. Preston Park;

c. Sites linked to the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution; and

d. Saltholme Nature Reserve.

v) The creation of employment and training opportunities for residents by developers and employers.

### **Core Strategy Policy 5 (CS5) - Town Centres**

2. Stockton will continue in its role as the Borough's main shopping centre. Up to 2011, the need for additional capacity can mostly be met through committed developments and the occupation and reoccupation of vacant floorspace. Beyond 2011, there may be a requirement to bring forward new retail developments within the town centre in the first instance, to improve quality and widen the range of the shopping offer in the Borough. The creation of specialist roles for Stockton, for example as a sub-regional historic market town, or through the concentration of a mix of ethnic retailers or small independent chrysalis stores, will be supported. Other initiatives will include:

- i) Improving the main approaches to the town via the Southern, Eastern and Northern Gateways, through creating new development opportunities and promoting environmental improvements;
- ii) Promoting a balanced and socially inclusive cultural sector and 24-hour economy across the town centre, particularly in the vicinity of Green Dragon Yard;
- iii) Providing additional leisure opportunities, and other town centre uses, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth;
- iv) Improving pedestrian links to the riverside.

3. Billingham, Thornaby and Yarm will continue to function as district centres. Priority to regeneration initiatives will be given to:

- i) Thornaby centre
- ii) Billingham centre

Proposals which support Yarm's specialist niche role in offering higher quality comparison shopping, together with leisure and recreation opportunities will be supported, provided that the residential mix within the district centre is not compromised.

7. Should any planning application proposals for main town centre uses in edge or out-of-centre locations emerge, such proposals will be determined in accordance with prevailing national policy on town centre uses as set out in Planning Policy Statement 4: Planning for Sustainable Economic Growth or any successor to Planning Policy Statement 4.

### **Core Strategy Policy 6 (CS6) - Community Facilities**

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

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

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

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

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

3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.

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

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

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

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

ii) Green wedges within the conurbation, including:

- \_ River Tees Valley from Surtees Bridge, Stockton to Yarm;
- \_ Leven Valley between Yarm and Ingleby Barwick;
- \_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;
- \_ Stainsby Beck Valley, Thornaby;
- \_ Billingham Beck Valley;
- \_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

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

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

#### **Saved Policy EN7**

Development which harms the landscape value of the following special landscape area will not be permitted:-

- (a) Leven Valley
- (b) Tees Valley
- (c) Wynyard Park.

#### **Saved Policy EN29**

Development which will adversely affect the site, fabric or setting of a scheduled ancient monument will not be permitted.

#### **Saved policy EN30**

Development, which affects sites of archaeological interest, will not be permitted unless:

- (i) An investigation of the site has been undertaken; and
- (ii) An assessment has been made of the impact of the development upon the remains; and where appropriate;
- (iii) Provision has been made for preservation 'in site'.

Where preservation is not appropriate, the Local Planning Authority will require the applicant to make proper provision for the investigation and recording of the site before and during development.

### **Saved Policy HO3**

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

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

### **MATERIAL PLANNING CONSIDERATIONS**

15. The main planning considerations of this application are;

#### **Principle of development;**

16. As members will be aware from the background to this application, outline planning permission was previously granted for the proposed land uses by Planning Committee. At that meeting, of 10th July 2013 the planning committee took the view that the benefits of a retirement village outweighed the impact on the landscape and open character in this location establishing the principle of the development. This reserved matters application was submitted within the required timeframe and therefore Officers are satisfied that the permission remains extant.

17. Despite the number of objections received many raise concerns in relation to the principle of the development such as the need for the development/further housing; the impact of the development on the Green Wedge and Tees Heritage Park; suitability of the access and degree of associated traffic; potential alternative sites; as well as, the impact on wildlife. Whilst these concerns are noted, such matters were considered at the time of the outline planning application and relate to the principle of the development, they cannot therefore be challenged or reconsidered as part of this reserved matters application and carry no significant weight in the determination process of this reserved matters application as a result. Although limited detail is provided with regards to the 'Country Park' at this stage the information is not required for this reserved matters application and in any case such matters are secured through a Section 106 agreement and the developer will still be required to comply with these requirements prior to the commencement of the development.

18. An objection has also been also received questioning the validity of this reserved matters application, in respect of its compliance with the outline planning approval, the reserved matters sought for approval and the general validity of the reserved matters application. These comments have been given due consideration and upon advice from the Council's Principal Solicitor amendments have been made to the application to ensure that it conforms with the outline consent. Furthermore, It is not considered that the submission of amended plans constitutes the submission of a new application for reserved matters and there is considered that the council remain able to determine the reserved matters application.

#### **Visual impacts;**

19. Paragraph 56 of the NPPF sets out the Governments aims for achieving good design and it is identified as having a key role within the wider definition of sustainable development. In assessing the context of the surrounding area, it is noted that the application site is a greenfield site which is free from any built development except for the existing Mount Leven Farm buildings and some agricultural storage buildings. To the west lie the residential properties forming the eastern fringe of Yarm which consist of a mix of two storey and single storey dwellings.



20. As part of the outline planning application, a planning condition (no.8) was imposed to restrict the building heights of the dwellings to a single storey and maximum height of 5m and the leisure and nursing home buildings to 2 storeys and a maximum height of 10 metres. The proposed dwellings are all single storey and have a maximum height less than 5 metres, equally the nursing home, community centre and shop are all below 10 metres in height and do not exceed 2 storeys. In terms of the physical appearance of the proposed building, the proposed dwellings are indicated to be constructed from a mix of stone, render and timber with either slate or clay pantiles, however, the final details of such matters can be controlled via a planning condition.
21. As a consequence of the above considerations the proposed scale and external appearance of the proposed buildings are considered to not only accord with the terms of the outline planning permission but is also considered to be acceptable within the wider context of the area given the planning approval granted for the retirement village.

### **Landscaping;**

22. Since the original submission a series of amended landscaping plans have been submitted, this has led to increased planting on the western boundary of Village 1 and consequently the effectiveness of the woodland planting to screen views of the development (and thereby prevent the coalescence of settlements) is now considered to be acceptable. Although the woodland planting on the north western boundary next to Village 6 includes a storage tank and related drainage runs, the planting is considered to be of a sufficient width when viewed from the Roundhill area to the north.

As a consequence it is considered that the planting drawings now show a sufficient level of tree planting within the general site and plot gardens to create an attractive tree lined development. The planting palette and landscaping principles across the site are therefore considered to be acceptable and the Council's Landscape Officer is now satisfied that the proposed landscaping and planting is generally acceptable. Final details of the tree and shrub planting specification and planting methods are required and these can be secured through a planning condition. The final details for means of enclosure and hard landscaping details are also secured through a planning condition.

23. Landscape maintenance and tree protection were secured as part of the outline application and is not considered to be necessary to impose a condition for such details.

### **Amenity**

24. Internally the relationship and separation distances from the main elevations of the proposed dwellings have sufficient separation between them and meet with the Council minimum separation distances between habitable rooms of 21 metres or between habitable rooms to blank elevations of 11 metres. Given that the proposed residential dwellings therefore meet with the Council's adopted guidance, it is considered that satisfactory levels of residential amenity will be provided for future residents of the development. The proposed dwelling also allow for amenity space to the front and rear of the dwellings. Alongside this the development proposes large areas of open space to provide a 'parkland' setting for use by residents of the development. As a result of both the amenity space associated with the properties and the associated parkland, it is considered that sufficient formal and informal amenity space is provided to produce a satisfactory form of development.
25. Externally the proposed residential properties will be in excess of 50 metres from those on the eastern fringes of Yarm and over 250metres from those dwellings on the western edge of Ingleby Barwick. In addition buffer landscaping will be provided to the fringes of the development. Whilst such planting will take time to establish and screen the development the separation distances between the existing and proposed dwellings are considered to be

sufficient to preserve acceptable levels of residential amenity for existing and future residents. In view of these considerations the proposed development will not have such a significant impact on the neighbouring properties existing levels of residential amenity that it would justify a refusal of the application on these grounds.

26. The short-medium environment impacts such as dust, noise and general disturbance during any associated construction activity could be minimised and controlled through planning conditions should the development be approved and it is not considered that this is sufficient enough to justify a refusal of the application.

### **Highway Safety**

27. Whilst a great number of objectors raise concerns with regards to the access and the provision of a roundabout onto Leven Bank Road, such matters were considered acceptable by the Planning Committee at the outline stage and cannot be reconsidered at reserved matters. In addition the Council's Highway Officers have since designed and agreed a safe roundabout through a section 278 agreement with the applicant.
28. With regards to the internal layout of the scheme, the Highways, Transport and Environment Manager has considered the proposed scheme against the Council's Design Guide and Specification (Residential and Industrial Estates Development) and Supplementary Planning Document 3: Parking Provision for New Developments even though it is the applicant's intention that the development will remain in private ownership to ensure that the layout would be adopted should it be offered for adoption in the future.
29. The main access road (or spine road) and the associated roads and footways serving each village are also considered to be acceptable given that the nature of the proposal is intended to serve a development for over 55's. Swept path analysis has been provided demonstrating that a large van (11.6m long) can be accommodated within the highway and make suitable manoeuvres without impeding traffic flow. This would also ensure that refuse collection vehicles can access all properties within the 25m 'pull-distance' should future residents require assistance. Although the footway/cycleways are 2.5m wide which is less than the minimum 3m normally accepted, the applicant has submitted information justifying this reduction in width and this has been reviewed and considered acceptable in this instance. Final details regarding the surface treatment can be conditioned given that a gravelled surface is considered inappropriate for disabled or visually impaired users.
30. Parking provision is provided in accordance with Supplementary Planning Document 3: Parking Provision for New Developments (SPD3). The communal facilities within the centre of the development (i.e. shop, community hall, bowling green and tennis court) have 43 spaces or have sufficient need to increase the spaces to 55 if required. Again given the nature of the development the Highways Transport and Environment Manager is of the view that such arrangements are satisfactory. The applicant has also indicated that cycle parking for 8 spaces and 23 spaces will be provided at the Community Facilities and the Car Home respectively and this is considered acceptable. The final details of cycle parking are also secured by condition.

### **Features of Archaeological Interest**

31. As members may be aware, the applicant an archaeological field evaluation as part of the outline planning application. Archaeological features were noted in two areas; to the north-west of Mount Leven Farm and to the south of the farm, these identified a pair of Iron Age enclosures (c.400BC-50BC) and other archaeological features which appear similar in date to the Iron Age enclosures whilst some appears more reminiscent of Romano-British occupation
32. Tees Archaeology have commented on the proposal and note that at outline stage the option was provided to either design the archaeological sites out of the development to avoid impact

or archaeologically excavate them in advance of development. It is considered that a good portion of the site to the north-west of Mount Leven Farm can in theory be preserved beneath the area of open space. However a combination of both approaches will be needed as the site to the south-east will be built over (Village 1) and it is likely that landscaping and playing surfaces at the open space may still have an impact.

33. With regards to these matters, planning conditions were imposed on the outline planning application and it is not considered that it is necessary that these are included upon any reserved matters approval as any developer will be required to comply with conditions imposed on both the outline approval and any reserved matters approval.

**Flood risk;**

34. The Councils Flood Risk Engineers have considered the proposed development and submitted information and following the receipt of additional information are satisfied that the surface water run-off can be accommodated through either the indicated ponds or other measures such as tanks and oversized pipes. Planning conditions were imposed on the outline planning approval for the development to accord with the flood risk assessment and to secure a scheme for surface water drainage. This requires that the final details regarding surface water drainage area submitted for approval and will include provision for exceedance, quality control of construction and the on-going maintenance and management of the system. Consequently it is considered that a satisfactory drainage solution can be provided and that there will be no increased flood risk.

**Protected Species;**

35. During the determination of the outline planning application reports were submitted which addressed the impacts of the development on protected species. Planning conditions were then imposed to ensure that those species were adequately protected and all development would be in accordance with those identified mitigation measures. These conditions remain as part of the outline planning application and will need to be satisfied through the discharge of conditions. The proposal is therefore not considered to have any impacts on protected species over and above those established as part of the outline planning application.
36. An objector has also raised the prospect of invasive species being within the surrounding area. Whilst noted a planning condition was imposed on the outline planning approval and it is considered that the requirement for a method statement of how invasive species will be managed and controlled is satisfactorily addressed.

**Crime and Antisocial-behaviour;**

37. Section 17 of the Crime and Disorder Act 1998 places a duty on the Council to deliver safer, more secure communities and places a duty on them to do all they can to reasonably prevent crime, disorder and anti-social behaviour in their area. The Police's Architectural Liaison Officer has considered the application and has no significant concerns with regard the proposed layout apart from the proposed footpaths to rear of the dwellings. Although it is advised that this should normally be avoided to reduce vulnerability to the rear of dwellings a key concept of the proposal is to create a 'parkland' setting. Such footpaths will also improve pedestrian connectivity throughout the development and are also likely to form the principle pedestrian routes through the estate. It is not considered that such an arrangement will create significant amounts of anti-social behaviour and without any significant evidence to demonstrate that the footpath poses a high risk to increasing crime it is not considered to be sufficient to justify a refusal of the application.
38. Concerns are also raised with regards to the potential for increases in anti-social behaviour either side of the river as a result of the proposed footbridge. As stated at the outline stage, there is no evidence to suggest that this would occur and careful consideration would need to

be given to the layout and design of the Country Park and footbridges which would include footpath links and any lighting (to ensure minimum disruption to wildlife and surrounding residents). These have been secured through the section 106 agreement and will need future approval by Officers ahead of the commencement of the retirement village development.

#### **Setting of Scheduled Ancient monument**

39. The Round Hill Monument is situated at the junction of the River Tees and Leven, set back from the river edges by approximately 100 and 90 metres respectively. The surrounding land is formerly agricultural in nature and is due to be handed to the Council as a result of the Betty's Close Farm development, meaning there would be limited change in its immediate setting. The principle of residential development on the application site has been established and given the proposed separation distances between the scheduled monument and the proposed dwellings along with the associated landscaping, it is not considered that there is any significant conflict with saved policy EN29 in respect of its setting.

#### **Residual Issues;**

40. Although comments have been made with regards to the lack of public consultation, it is considered that sufficient publicity has been given to proposed planning application through neighbour letters, a site notice and press advert and therefore the degree of consultation has been sufficient.
41. A number of supporting comments may be made citing compliance with government policy and the NPPF; benefits of the country park and the associated economic benefits through investment and job creation. Whilst these are noted, at the outline planning application stage a number of social, economic and environmental benefits of the proposal were noted and given due consideration. Whilst these factors still carry some weight in the determination process, the principle of development has already been established and this reserved matters application is about the acceptability of the final details of the scheme.
42. Comments from both objectors and supporters regarding the acceptability of a proposal for a country club on the opposite site of Leven Bank Road are noted. However, such matters are not for consideration as part of this application which will be determined on its own merits. Its compliance with planning guidance, the relevant planning considerations and comments from the general public will be assessed as part of that application.
43. Matters such as a loss of property value are not a material planning consideration and cannot be considered as part of this application.

#### **CONCLUSION**

44. In view of the above considerations including representations on the planning merits of the proposal, the principle of residential 'retirement village' development on the site has been established through the outline planning consent approved in July 2013.
45. This reserved matters application provides the details for the development and in terms of the, layout of the development, appearance of the proposed dwellings and building and the associated landscaping. Such details are considered to be satisfactory and will not have any adverse impacts on the residential amenity of neighbouring occupiers as well as provide appropriate levels of amenity for future residents of the development. The access arrangements remain acceptable and sufficient in curtilage parking is provided, the proposed development is therefore considered to be acceptable in planning terms.

**Corporate Director of Development and Neighbourhood Services  
Contact Officer Mr Simon Grundy Telephone No 01642 528550**

### **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Yarm</b>
<b>Ward Councillor(s)</b>	<b>Councillor Ben Houchen</b>
<b>Ward Councillor(s)</b>	<b>Councillor Elsi Hampton</b>
<b>Ward Councillor(s)</b>	<b>Councillor Julia Whitehill</b>

### **IMPLICATIONS**

#### **Financial Implications:**

The proposed development will provide financial contributions towards highway infrastructure (£93,600); a contribution towards parking in Yarm (£64,936); the scheme will also provide a new homes bonus upon completion. Such consideration were agreed at the outline planning application stage and have already been secured, consequently they are considered to carry limited weight in the determination of this application.

#### **Environmental Implications:**

The proposal relates to a reserved matters residential development and its visual impacts, along with matters relating to the impacts on residential amenity particularly as a result of noise and disturbance are considered and addressed within the report. These are however considered to have a limited impact.

#### **Human Rights Implications:**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

#### **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 with those relevant considerations set out within the main body of this report.

#### **Background Papers**

Stockton on Tees Local Plan Adopted 1997  
Core Strategy – 2010

#### **Emerging Policy**

Regeneration and Environment Local Plan – Publication February 2015.

#### **Supplementary Planning Documents**

SPD1 – Sustainable Design Guide  
SPD2 – Open Space, Recreation and Landscaping  
SPD3 – Parking Provision for Developments  
SPD4 – Conservation and Historic Environment Folder  
SPD6 – Planning Obligations  
SPD8 – Affordable Housing