

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
9 MARCH 2016**

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

**14/2876/OUT**

**Land at Thornaby Football Club Acklam Road, Thornaby**

**Revised outline application for the erection of up to 60 residential dwellings, and the re-development of the existing football club facilities**

**Expiry Date: 10<sup>th</sup> March 2016**

### **SUMMARY**

Outline planning permission is sought for a mixed development of residential and sports developments. The indicative details show the relocation and development of 2 football pitches with a new club house and changing facilities and car park and the erection of up to 60 dwellings.

The application is outline with permission being sought for the principle of development and the site access with matters of Layout, Landscaping, Scale and Appearance being reserved matters which would require future submission and consideration were this outline permission to be granted.

The consultation exercise has resulted in a number of comments of objection and support being received which are detailed within the report. Main comments of support relate to the beneficial improvements to sports provisions whilst the main objections relate to highway safety, congestion, loss of open space, loss of access and impacts on wildlife.

The site is within the existing limits of development, partly on a site where previous housing applications were approved but are now lapsed and where there is existing development associated with the football club. Only a small part of the eastern tip of the site is within the green wedge as detailed by the Core Strategy Strategic Diagram.

Having considered all relevant matters, it is considered that the loss of existing pitches can be adequately re-provided on the lower part of the site and re-provided facilities such as car park, changing and club house are supported given the existing use of this area of the site. Development of the upper part of the site for a residential use would be in accordance with national planning policy given that Stockton Borough is unable to rely on its own housing policies due to being unable to demonstrate a deliverable 5 year housing supply. Notwithstanding this, the scheme is considered to result in the development of an area characterised by its openness, its landscaping and its tranquil nature and the proposed development is considered would unduly affect this character at a position away from the main urban area of Thornaby. It is further considered that the scheme would place undue pressure for protected trees to be removed to allow future residents to gain reasonable amenity and that this would in turn adversely affect the adjacent cemetery and its associated amenity.

## **RECOMMENDATION**

### **Planning application 14/2876/OUT be refused for the following reasons**

#### ***Impact of Character of Area***

*In the opinion of the Local Planning Authority, the proposed development would result in a significant intrusion of new built development within an area which is currently characterised by its green space, landscaping and open areas, being a detrimental change in the character of the area, contrary to the requirements of saved Local Plan Policy HO3(iv), Core Strategy Development Plan Policy CS3(8) and National Planning Policy Guidance (para's. 58 & 64). In the opinion of the Local Planning Authority, the detrimental impacts of the proposed development on the character of the area are not outweighed by the benefits of the scheme.*

#### ***Impact on Cemetery***

*In the opinion of the Local Planning Authority, the proposed development will place a notable extent of housing along the boundary with the existing cemetery and would place a long term undue pressure for the removal of existing protected trees along that boundary due to the level of amenity likely to be expected by future residents. It is considered that, were trees to be removed, it would result in an unacceptable impact on the character of the cemetery, contrary to saved Local Plan Policy HO3(v), Core Strategy Development Plan Policy CS3(8) and NPPF (Para's. 58 and 64).*

## **INFORMATIVES**

#### ***Informative 1: Working Practice***

*The Local Planning Authority considers the submitted details unsatisfactory but fully explored whether the scheme could be modified to be considered acceptable and thereby worked in a positive and proactive manner in dealing with the planning application*

#### ***Informative 2: Historic Landfill Site - Advice to Applicant***

*There is a historic landfill site located within the application site. The historic landfill was operated by Stockton Football Club between 1986 and 1988. It consisted of construction wastes and may potentially contain some biodegradable materials such as wood and plasterboard. The disposal licence CLE163 was issued by Cleveland County Council.*

*The potential for the generation of landfill gas from this site is small. However, given its small size and its age, the developer is being made aware that this is a possibility.*

#### ***Informative 3: Sustainable Drainage Systems (SUDS) - Advice to Applicant***

*Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourages infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.*

*Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.*

## **BACKGROUND**

04/0627/FUL

Residential development of 3 no. apartment blocks comprising 50 no. flats and associated access road, car parking and landscaping

Approved 9th October 2006. Permission lapsed on the 9<sup>th</sup> October 2011 and no pre commencement conditions were discharged.

08/1240/FUL

Residential development of 48 no. two bedroom apartments and 16 no. one bedroom apartments and associated car parking, landscaping and external works

Approved 25<sup>th</sup> September 2008. Permission lapsed on the 25<sup>th</sup> September 2011 and no pre commencement conditions were discharged.

11/2397/RNW

Application for new planning permission to replace an extant planning permission 08/1240/FUL (Residential development of 48 no. two bedroom apartments and 16 no. one bedroom apartments and associated car parking, landscaping and external works).

Approved 19<sup>th</sup> December 2011. Permission lapsed on the 19<sup>th</sup> December 2014 and no pre commencement conditions were discharged.

13/1373/SCO

Screening opinion request for proposed development of 60.no dwellings  
Issued 25<sup>th</sup> June 2013

Tree Preservation Orders: 00.8.5.465 and 00.8.5.850 (see appendices)

## **SITE AND SURROUNDINGS**

The application site is located on the north eastern edge of Thornaby, between Thornaby cemetery and Thornaby Golf Course, behind properties fronting Acklam Road as shown on plan at appendix. 1.

The site gains access off Acklam Road and has an existing roadway into the site which splits part way along, dividing the application site into two distinct areas separated by a sloping landscaped bankside. Trees surround the southern site area adjacent to the cemetery and housing on Acklam Road which is laid out with two football pitches, a derelict club house and associated parking, albeit partially overrun with landscaping.

The northern part of the site is lower ground and has the football clubs 1<sup>st</sup> team pitch along with parking and changing facilities. The old River Tees bounds the site to the north with Thornaby Golf Course beyond.

Trees within the site are subject of two Tree Preservation Orders, the extent of which is shown at appendix. ref.4.

## **PROPOSAL**

Outline planning permission is sought for the erection of up to 60 dwellings and the re-development of the existing football club facilities. The scheme would result in the loss of two existing grass pitch's and derelict club house to housing on the southern half of the site and redevelopment / replacement pitch's being undertaken on the northern part of the site along with provision of new parking and club house. The application form indicates that permission is sought only for the

principle of development and the access, with matters of Appearance, Landscaping, Layout and Scale being reserved matters.

The outline application has been submitted with indicative details in respect to site layout in order to allow a reasonable assessment of the impacts of the scheme to be appreciated at outline stage. Indicative plans are shown at appendix 2 and 3. The proposal has been submitted with the following documentation;

#### Plans

1232/001 - Site Location Plan  
1232/002B - Proposed Site Plan - part 1  
1232/003G - Proposed Site Plan - part 2  
1232/007 - Existing Site Sections  
1232/008 - Proposed Site Sections  
1232/009 – Topographical Plan  
720/LA1 – Landscape and Visual Analysis

#### Documents

Design and Access Statement  
Archaeological Assessment  
Ground Report  
Phase 1 Habitat Survey  
Flood Risk Assessment  
Transport Statement & Travel Plan  
Tree report  
Landscape and Visual Analysis  
Draft S106 Agreement  
Draft community Use Agreement  
Thornaby FC Letter – support  
Pitch Management Statement

### **CONSULTATIONS**

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

#### Thornaby Town Council

Does not support this revised application on the following grounds:

Genuine concern about past approval on what is indisputably an undeveloped park. TTC regards this application as similar to building on Preston Park.

It goes against Thornaby Town Council's policy of safeguarding Thornaby's green field/green wedge, woodland and natural environment for present and future generations. The damage done to existing species would be catastrophic and destroy a place of both sporting and ecological importance in and around parkland and the historic old River Tees.

Traffic implications - Influx of extra traffic from a busy and dangerous section of Acklam Road into a privately owned section of road. Only one way in and out, so impact of development would have real safety implications as well as a detrimental effect on the quality of life of residents who have complained in the past of heavy handed tactics used by the applicant to build on this land.

Loss of parking provision for the football club. Such development would reduce parking for Thornaby FC to a few spaces. Clearly not enough to cope with match day demand.

TTC would add that past applications have promised to deliver all manner of benefits, but none have materialised. Consequently, works to bring the park up to northern league standards - and indeed recognised as the most improved ground in the north east - have been brought about by hard working volunteers, grant funding.

TTC have made a substantial monetary contribution to the club to stave off going out of existence and currently pays for grass cutting and changing accommodation for juniors, etc. SBC has also made a substantial contribution in terms of security and facility improvements and environmental work carried out by SBC. The nature trail, expansion of relic salt marsh and planting for woodland cemetery has also been an added bonus which will be affected by highly intrusive development.

In conclusion, this park is regarded as a heritage feature in the town of Thornaby on Tees which was paid for from by weekly subscriptions from Head Wrightson workers. The top football pitches where this housing estate is proposed to be built is also used by a number of junior teams + over 45s and other users. It is priceless in terms of amenity space and ecology. It is a haven for an abundance of wild life and flora - some of which is extremely rare.

### Councillors

Cllr S Walmsley

I wish to lodge an objection against the proposal to develop land at Thornaby Football Club as detailed in Planning Application 14/2876/OUT for the following reasons:

This land has always been set aside for recreational use since the 1930's. Its correct name is Teesdale Park, i.e. it is open parkland for recreational use. It has a number of thriving football clubs with organised matches played by children of all ages throughout the week and also at weekends. Due to the informal nature of these pitches they are available for use 24/7 free of charge for other matches or informal kick-about by members of the community which would be lost if the pitches are re-located and secured.

Although parts are designated as previously developed it has always been park land and has been well used by the community of Thornaby for generations. It is identified as Green Wedge within SBC Development Plans.

The proposed scheme will create a housing estate on parkland with insufficient road access. The current proposal will mean an increase of cars using a single entry and exit point from a private road onto a known accident black-spot with reduced visibility splays due to parked cars and incline of the bank. This will impact upon the free flow of traffic along Acklam Road and is detrimental to highway safety. Although traffic calming has improved Acklam Road, it must be remembered that a fatality and numerous accidents were the reason that traffic calming was introduced in the first place.

There are various walks and rights of way throughout the site which is a haven for wildlife and birds. There are deer, foxes, bats and owls. There are rare wild orchids on the bankside proposed as development for the disabled ramp. There will be a significant removal of mature broadleaf trees, and any replacement planting will take years to mature.

I hereby request that the development be refused.

### SBC – Highways Transport and Environment

#### Executive Summary

The Highways, Transport & Environment Manager, for the reasons set out below, objects to this application.

This proposed development would adversely change the character of the area from rural edge, with views of open space and mature trees to urban built development. It is considered that the

development represents an isolated area of housing away from the Acklam Road residential area in a location characterised by open landscaped space, the Teesside golf courses and Thornaby cemetery. Dense shade would also have a significant adverse impact on the amenity of the residents in the proposed houses with their gardens and houses in shade for most of the summer. The application is not supported in landscape and visual terms.

In terms of the National Planning Policy Framework and the capacity of the local highway, the scale of the development and the additional traffic associated with this site would not be sufficiently harmful to make the planning proposal unacceptable in transport terms. Therefore the principle of development, in terms of Highways is acceptable subject to the following details being made acceptable through any Reserved Matters application:

- Refuse collection and swept path analysis (autotracking) of large vehicles being successfully demonstrated around the site;
- That the proposed access to plots 1 to 8, as shown on the proposed site layout reference 232/002B being designed 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 applicant entering into a Section 278 Agreement with the Highway Authority for the alterations to the highway.

The revised layout for the football pitches is considered acceptable, subject to the provision of acceptable details of the retaining structure for the U10 pitch and details of replanting of trees to offset the tree losses within the site to accommodate the pitches. Any proposed lighting for the football pitches should not be brighter than the existing lighting around the current football pitch.

Detailed comments are included in Appendix 1.

Please note no conditions have been proposed, at this stage, as the Highways, Transport & Environment Manager is unable to support this application. Should the application be recommended for Approval details of the required conditions will be provided.

#### SBC – Strategic Housing Manager

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

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

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

We note from the Planning Support Statement that the developer is proposing to provide 15% affordable housing within the site, which is acceptable as it is in line with the need identified in the SHMA 2012 and is compliant with Policy CS8 as outlined above. Based on the residential market site scheme of 60 units, 15% affordable housing would equate to 9 affordable units. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere. The affordable units should be provided on site unless the developer can provide robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

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

A worked example based on a requirement for 15% or 9 affordable units: -

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

Proportion	No. of units	Tenure
70%	6 units	Rent
30%	3 units	Intermediate Tenure
100%	9 units	Total

Bed Size: Using borough wide figures from the SHMA 2012

Size	Proportion	No. of units
2 bed	91%	8 units
3 bed	9%	1 units
Total	100%	9 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
8 Units	2 bed	5 x Rented 3 x Intermediate Tenure
1 units	3 bed	1 x Rented

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

#### SBC –Economic Growth and Spatial Plans Manager

Thank you for consulting the Spatial Planning team on this revised outline application for the erection of up to 60 residential dwellings, and the re-development of the existing football club facilities. 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 material considerations indicate otherwise.

This response focuses on the key spatial, housing and economic planning policy issues which relate to the application and the draft allocation of the site in the emerging Regeneration and Environment Local Plan.

#### The Development Plan - overview

The development plan currently comprises the:

- Stockton-on-Tees Core Strategy LDD (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).

#### Planning history

There is an extant planning permission (11/2397/RNW) for 48 units in relation to part of the site.

#### 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.

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." (Paragraph 49).

#### 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. There are three dimensions to sustainable development: economic, social and environmental.

#### 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 Council has produced a report entitled 'Five Year Deliverable Housing Supply Final Assessment: 2014 – 2019'. The Report concludes that the Borough has a supply of deliverable housing land of 4.08 years with a 20% buffer added.

The five year supply assessment is also being updated every 3 months. The second quarterly update uses a base date of 30 September 2014. The report entitled Five Year Deliverable Housing Supply Final Assessment: 1<sup>st</sup> October 2014 to 30<sup>th</sup> September 2019 (2<sup>nd</sup> quarterly update report) 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 NPPF and the adopted Development Plan

##### Sustainable transport and travel

The proposal will need to be assessed in relation to Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel.

##### Landscape and visual impacts

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'.



Comments are noted from the Head of Technical Services that the proposal would have negative landscape and visual impacts.

The comments from the Head of Technical Services suggest that the proposal conflicts with Core Strategy Policy CS3.8. The case officer will need to carefully consider this.

#### Community Facilities

National Planning Policy Framework (paragraph 74) states that 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'

Part of the site has been identified as an outdoor sports facility within the Council's open space audit. Based on the open space audit the Council has undertaken a robust assessment of open space, sports and recreation facilities; this is encapsulated within the Council's PPG17 Assessment, which forms Appendix 6 of the Open Space, Recreation and Landscaping SPD. Point 3 of Core Strategy policy CS6 'Provision of Facilities' states that '*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*'. The SPD does not identify any land that is surplus to requirements and sets out that where provision is well above the minimum standard for a particular type of space, land should be considered for providing a different type of open space where the standard is not yet met rather than being developed for alternative uses. This is referred to as the 'cascade approach'.

As no surplus has been identified, in order to be in conformity with the NPPF and local policy, any loss of open space, sports and recreational buildings and land would need to be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or be for the development of alternative sports and recreational provision (the needs for which clearly outweigh the loss).

The proposal would lead to the loss of 1.5ha of playing field. The applicant contends that this will be compensated for by the provision of two replacement pitches and general improvements to the existing facilities at the football club. I note that Sport England has now withdrawn their objection subject to the imposition of conditions set out in their correspondence as the proposal is now considered to meet playing field policy. The case officer will need to consider the impact of these conditions in the context of the green wedge. The case officer may also wish to consider requesting evidence that the proposal would be economically viable with all of the facilities that the applicant has stated will be provided.

#### Affordable housing

Point 5 of Core Strategy Policy 8 (CS8) 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'. It is understood that the applicant will provide affordable housing at a rate of 15%. This will make a contribution towards achieving the affordable housing targets set by policy CS8 and is a material consideration in support of the application.

#### Environmental Protection and Enhancement

Core Strategy Policy 10 – point 3ii.

The proposal will need to be assessed in relation to Core Strategy Policy 10 (CS10) – Environmental protection and Enhancement. Point 3ii) of the policy states that: '*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: Green Wedges within the conurbation including 'Stainsby Beck Valley, Thornaby.'*

The status of the Stainsby Beck green wedge

You will be aware the Secretary of State has considered the report of his Inspector who held a public local inquiry into the appeal by Tiviot Way Investments against the decision of the Council to refuse outline planning permission for residential development of up to 550 homes at the Bassleton Beck green wedge (appeal ref: APP/H0738/A/14/2214781). The Inspector recommended that the appeal be allowed. The Secretary of State disagreed with this recommendation and decided to dismiss the appeal and refuse planning permission.

Although the Secretary of State's decision is specific to the Bassleton Beck green wedge it clearly has implications for the status of green wedge throughout the Borough. At paragraph 10 the Secretary of State states 'Like the Inspector (IR110), he is of the opinion that the view of the Council and local residents that the appeal land is within a green wedge is not supported by the CS's Strategic Diagram (IR110).' This is also applicable to the majority (but not all) of the site which is the subject of this application.

The Spatial Planning team accept that the Secretary of State's decision is a material planning consideration in relation to the interpretation of the Proposals Map associated with the 1997 Local Plan and that his decision relating to the status of the Local Plan Proposals Map is also applicable to the Stainsby Beck green wedge. Therefore the Stainsby Green Wedge designation shown on the 1997 Proposals Map should not be considered to be part of the development plan and its extent is only shown indicatively on the CS Strategic Diagram. However, in the opinion of the Spatial Planning team considerable weight can be attached to all of the Stainsby Beck green wedge, including that which is not shown directly on the CS Strategic Diagram, for the following reasons:

- Although the 1997 Proposals Map which showed the designation has been deleted it is noted that the Secretary of State commented in his decision letter '*Whilst the Secretary of state has concluded that the site is not within a green wedge as designated by the relevant development plan, he has taken account of CS Strategic Objective 8 as well as the position of the Council which makes clear that it regards the site as lying within a long established green wedge, and the fact that the council is expected to adopt a Regeneration and Environment Development Plan Document in due course*' (paragraph 110). The Spatial Planning team consider that these comments are equally applicable to the Stainsby Beck green wedge.
- At paragraph 18 of his decision letter the Secretary of State has commented that he '*considers that the conflict with CS policy CS10(3) and the strategic objective of providing and maintaining a green wedge between Ingleby Barwick and Thornaby renders the scheme in conflict with the development plan overall*'. The Secretary of State therefore has clearly attributed very significant status to the strategic objective of providing and maintaining the Bassleton Beck green wedge and the Spatial Planning team consider that this is equally applicable to the Stainsby Beck green wedge.
- The Council's Green Wedge Review (December 2014) identifies the Site as part of the Stainsby Beck green wedge. The Green Wedge Review has now been approved by Cabinet (15th January 2015) and Full Council (21st January) as part of the supporting documentation to the emerging Regeneration and Environment Local Plan for a period of public consultation February to March 2015.
- The Policies Map for the Publication draft of the emerging Regeneration and Environment Local Plan identifies the Site as part of the Stainsby Beck green wedge. The Publication draft of the emerging Regeneration and Environment Local Plan has now been approved by Cabinet (15th January 2015) and Full Council (21st January) for a period of public consultation February to March 2015. There are no significant unresolved objections in relation to emerging green wedge

policy in the context of the Stainsby Beck green wedge. I consider therefore that (limited) weight can be attributed to emerging Policy SP3.

I summarise the status of the Stainsby Beck green wedge as follows:

- Part of the Stainsby Beck green wedge is directly supported by the CS Strategic Diagram:
- The Stainsby Beck green wedge is long established green wedge.
- Proposals to develop the Stainsby Beck green wedge which are not consistent with green wedge policy are in conflict with the development plan overall.
- Although the CS Strategic Diagram does not define the full extent of the Stainsby Beck green wedge, the full extent is shown both in the Council's Green Wedge Review and in the Policies Map for the emerging Regeneration and Environment Local Plan.
- The strategic objective set out in policy CS10(3) to maintain the separation between settlements and to maintain the quality of the urban environment by protecting and enhancing the openness and amenity value of Stainsby Beck Valley must still carry significant weight.

The assessment of the proposal in relation to CS Policy 10(3)(ii)

It is noted that comments from the Head of Technical Services state that the proposal will be detrimental to maintaining the open character of the green wedge.

You will also be aware that the Stainsby Beck green wedge has been reviewed as part of the Council's Green Wedge Review (December 2014). The Review states: *'It is considered that development of the football pitches would lead to development which would harm the identity and character of the green wedge. Whilst it is acknowledged that the site is enclosed to some extent by boundary walls development would most likely be visible from a number of vantage points. Should development include upper floors these would be viewed from the cemetery above the cemetery wall. Development would also be unsympathetic when viewed from the north as it would be visible from lower lying land within the green wedge. Development in this area would introduce built form protruding into an otherwise open area.'*

Whilst development within this site would not lead to the undesirable coalescence of Thornaby and Middlesbrough there are concerns over the impact this would have on the openness, identity and character of the green wedge. The Spatial Planning team consider therefore that the proposal is contrary to Policy CS10(3)(ii).

The applicant's supporting Planning Statement states *'It is the applicant's contention that given Policy CS10 seeks to prevent development (including housing development) in the Green Wedge that it too should be considered out of date if the Local Planning Authority cannot demonstrate a 5 year housing supply.'*

Policy CS10 is an environmental policy. It is not a housing supply policy. It is part of the adopted Development Plan. The absence of a five year supply of housing land does not lessen the value that should be attached to the role and function of the Stainsby Valley green wedge. I refer again to the Secretary of State's decision regarding the appeal by Tiviot Way Investments against the refusal by the Council of Outline planning permission for up 550 homes at Little Maltby Farm, Ingleby Barwick (appeal ref: APP/H0738/A/14/2214781). The Secretary of State in the Planning Balance and Conclusions section of his decision letter stated that he *'has also concluded that the scheme conflicts with CS Policy CS10(3) and he gives substantial weight to this conflict'*. I consider that this clearly supports the view of the Spatial Planning team that CS Policy CS10 is an environmental management policy i.e. it is fundamentally concerned with the quality of the environment and has nothing to do at all with the supply of housing.

It is further contended in the applicant's supporting Planning Statement that the authority has accepted the principle of residential development in the green wedge. In this context the Statement refers to the granting of planning permission for a retirement village on land designated as part of the Leven Valley green wedge. Each application is considered on its own merits and in relation to its particular circumstances. For the applicant to contend that one particular decision is tantamount to the authority abandoning all green wedge protection is not correct.

#### NPPF paragraph 123 – 4th bullet point

It is also relevant in the context of environmental protection and enhancement that the 4th bullet point of NPPF paragraph 123 states that planning policies and decisions should 'identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason'.

The case officer should consider the Green Wedge Review and the comments from the Head of Technical Services in the context of the 4<sup>th</sup> bullet point of NPPF paragraph 123.

#### Relationship to 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). The document has now reached the Publication stage in the plan process.

#### Emerging Strategic Policy SP3 – Locating Development

Strategic Policy SP3 – Locating Development continues the approach to green wedges found in Core Strategy Policy 10. The policies map that accompanies the Publication draft Local Plan shows the majority of the site as green wedge. The application is contrary to emerging policy SP3.

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 is currently being consulted upon from 2<sup>nd</sup> February to 16<sup>th</sup> March 2015 (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. Significant unresolved objections to emerging green wedge policy have been site specific i.e. they are proposals to allocate land that is currently green wedge for housing. There are no significant unresolved objections in relation to emerging green wedge policy in the context of the Stainsby Beck green wedge. I consider therefore that limited weight can be attributed to emerging Policy SP3 in the context of the 2<sup>nd</sup> 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 the Stainsby Beck green wedge designation shown on the Policies Map for the emerging Regeneration and Environment Local Plan.

The Secretary of State's decision letter states that, in considering the separation of Ingleby Barwick and Thornaby, he has taken into account 'the fact that the Council is expected to adopt a Regeneration and Environment Development Plan Document in due course' (Paragraph 11). I consider that this clearly demonstrates that the Secretary of State concurs that a degree of weight that can be attributed to the emerging Regeneration and Environment Local Plan

### Summarising comments

[The starting point for consideration of the application is the conflict with the adopted development plan. However, the Council accepts that it is not able to demonstrate a five year supply of deliverable housing sites. 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 the supply of housing, make a contribution towards the five year supply of housing and the provision of affordable housing would contribute to reducing the annual net shortfall of affordable housing identified in the TVSHMA.

Turning to the potential adverse impacts of the proposal, the Council's Green Wedge Review expresses concerns over the impact that development in this location would have on the openness, identity and character of the green wedge. The case officer will have also noted the landscape and visual objection from the Head of Technical Services. The case officer will also have to consider whether the mitigation measures that have persuaded Sport England to conditionally withdraw their objection would have an adverse impact on the green wedge. The case officer will need to give careful consideration to both the benefits of the application and the adverse impacts when assessing the planning balance. In the context of the adverse impacts the Spatial Planning team consider the following NPPF and Development Plan policy to be relevant:

- NPPF paragraph 74
- The 4th bullet point of NPPF paragraph 123
- Point 8 of Core Strategy Policy 3: Sustainable Living and Climate Change.
- Point 3ii) of Core Strategy Policy 10: Environmental Protection and Enhancement

### SBC - Private Sector Housing

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

### Northumbrian Water Limited

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for NWL to be able to assess our capacity to treat the flows from the development. We would therefore request a condition be imposed requiring a condition be imposed to agree details of surface and foul water drainage in order to prevent the increased risk of flooding from any sources in accordance with the NPPF. The Developer should develop their Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- o Soakaway
- o Watercourse, and finally
- o Sewer

### Northern Gas Networks

No Objections

### Tees Archaeology

The developer has submitted an archaeological desk based assessment in support of the application. This meets the information requirements of the National Planning Policy Framework (NPPF para 128).

The report for the work concludes that there is some archaeological potential in the area in the form of the site of a former 19th century brickworks and for general prehistoric or Romano-British activity. It recommends that mitigation can be taken forward as a planning condition. I agree with this recommendation and set out below the standard wording for such a condition.

Recording of a heritage asset through a programme of archaeological works

A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

In reviewing the desk based assessment I am comfortable that the condition can be tightly targeted into establishing the level of survival (if any) of the brickworks buildings, with subsequent recording if necessary.

#### Stockton Police Station

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.

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 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

#### Chief Fire Officer

Cleveland fire Brigade offers no representations regarding the development as proposed although has advised in regard to water supply and building regulation requirements.

### The Environment Agency

Issued updated advice based on additional submission details.

No objections to the proposal as submitted, and consider the proposed development will be acceptable providing conditions are imposed on any grant of planning permission relating to

- Undertaken in accordance with Flood Risk Assessment and build properties to appropriate flood level.
- Suitable contaminated land assessments and no occupation until suitable verification report provided.
- Advised informative is placed on any permission in relation to site evacuation.
- Precautionary land contamination condition

### Historic Landfill Site - Advice to LPA/Applicant

There is a historic landfill site located within the application site. The historic landfill was operated by Stockton Football Club between 1986 and 1988. It consisted of construction wastes and may potentially contain some biodegradable materials such as wood and plasterboard. The disposal licence CLE163 issued by Cleveland County Council.

The potential for the generation of landfill gas from this site is small. However, given its small size and its age, the developer should be aware that this is a possibility. We do not hold any records of environmental monitoring for this site.

### Sustainable Drainage Systems (SUDS) - Advice to LPA/Applicant

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourages infiltration such as soak-away's or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soak-away's or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.

### Discharge of Foul Sewage - Advice to LPA/Applicant

The application form states that foul sewage will be discharged via the public sewers. 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.

### Canal & River Trust (Former British Waterways)

This application falls outside the notified area for its application scale. No further comment.

### The Ramblers Association

There appears to be no recognition of the comments we made when we were consulted on the previous application for this site (13/2820/OUT). At that time we drew attention to the adjacent course of the Old River Tees and the missed opportunity of creating a walkway for both residents and visitors. We also thought consideration should be given to a walk/cycle way affording a motor-free access to the Teesside Retail Park and beyond.

### Sport England

Proposal is now considered to meet playing field policy (exception E4) to the satisfaction of the affected parties. Objection withdrawn subject to the imposition of conditions. Further clarification needed on the football club's security of tenure.

Amended plans have now been submitted which show a (minimum sized) senior football pitch being created on land to the west (but at right angles to) Thornaby FC's main pitch, and an under 10s pitch to the east.

Given that this is an outline application, with all matters except access reserved for later approval the Football Association has advised Sport England that their objection to the application can now be lifted subject to clarification of the following;

- *Thornaby Football Club giving formal notice of their acceptance of the proposals*
- *Phasing plan to show how and when the replacement pitches, changing and clubhouse improvements will be provided in the context of the housing development.*
- *Detailed designs for the changing rooms are submitted for approval before commencing on site.*
- *Sport England's Natural Turf Standard based on an independent sports turf professional's site survey and design.*
- *Long term lease for the club on the whole site*
- *CUA between Thornaby FC and current users i.e. Middlesbrough Ladies*

The football club's committee met on 7th December 2014 and the meeting minutes indicate that the club was happy with the proposal subject to the following matters being resolved;

1. *Time scale (starting to completion)*
2. *Schedule of works (listing first to completion)*
3. *Ground up to football associations grading system (we are F grade) due to the old covered stand being removed bowling green end it will reduce our requirement for the above grade - see rules - The minimum covered accommodation must be 200, of which at least 100 must be seated.*  
*These seats may be located in two stands, each with a minimum capacity of 50. Whilst individual seats are preferred, bench seating may be permitted provided that it is in good repair and that individual spaces (min 500mm) are clearly marked.*
4. *Floodlights up to football association minimum 180 lux. As two more will have to be fitted because of the moving of the main pitch, (at no cost to Thornaby FC)*
5. *Do all pitches have fencing to keep the general public from entering complex? (Example individually fencing or the whole complex fenced)*
6. *Due to the location of the football pitches within the complex are they ball stop nets provisions 20ft size. To prevent balls going into beck and onto golf course.*
7. *We need a more detailed plan with sizes and dimensions of all of the complex including new club house – changing rooms – toilet facilities for spectators etc.*  
*(example - Where clubs are planning to build new dressing rooms these must be a minimum size of 18 square metres, excluding shower and toilet areas)*
8. *Thornaby FC did not have the funds to pay for the development and require written grantee's that all the changes would be paid for by the developers.*
8. *Hard path and Barrier around the main pitch as is now.*
9. *The ground to be fenced in, as it is now, with the porta cabins moved to a new location within the ground.*
10. *All costs to be paid by the developer/landowner's as covered under the 106 agreement which must be signed by the developers/landowner's with both party's solicitors present.*
11. *As agreed a new 25 year lease.*

In light of the club and FA's comments, Sport England is satisfied that this proposal is capable of meeting exception E4 to the satisfaction of the affected parties (even though the exception is not fully met).



This being the case, Sport England wishes to withdraw its objection to this application, subject to the following conditions being attached to the decision notice (if the Council are minded to approve the application):

- 1) The reserved matters application shall provide full details of how the two proposed football pitches shall be constructed in accordance with the methodology set out in Sport England's design guidance Natural Turf for Sport, including in the this instance details of how the pitches will be built-up adjacent to the watercourse to the north.
- 2) The reserved matters application shall provide full details of how Thornaby FC's ground will be set out-serviced, furnished and arranged so as to meet the Football Association's ground grading requirements for grade F. (<http://www.thefa.com/my-football/club-leagues/ground-grading> )
- 3) The reserved matters application shall set out details of ball-stop netting to be erected around parts of the perimeter of the new pitches as prescribed by Thornaby Football. The agreed fencing shall be operational upon commencement of use of the approved pitches.
- 4) The reserved matters application shall include a phasing plan which shows how the replacement football pitches and the reconfiguration of Thornaby Football Club's ground shall be completed and available for use prior to the commencement of the residential element of the proposal. The development shall be carried in strict accordance with the approved phasing plan.
- 5) No development shall commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the football pitches (and ancillary facilities) and include details of pricing policy, hours of use, access by other teams, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Both the Football Club and Football Association have sought reassurances that the club will be granted a 25 year lease on the reconfigured ground as part of the development proposals. Whilst Sport England has been given verbal assurances that this will be forthcoming, no written undertaking to this effect has been provided by the applicant. Long term security of tenure is beneficial to the club as it allows them to seek funding from funders such as Sport England and the Football Association in order to further develop the facilities at Teesdale Park. As such it is likely to be beneficial to the development of football at this site.

Sport England would wish to see this matter resolved before the application is resolved, although it is understood that the lease requested by the football club cannot be required by condition. In light of this, and the exacting nature of the conditions required by Sport England, it may be beneficial to meet with the applicants prior to this application being considered by planning committee.

If you wish to amend the wording of the conditions or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

If your Authority decides not to attach the above condition(s), Sport England would wish to maintain a statutory objection to this application.

Should your Authority be minded to approve this application without the above condition(s), then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 and National Planning Policy Guidance, the application should be referred to the National Planning Casework Unit.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

#### Natural England

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

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.

#### Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

#### 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.

#### 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.

### Tees Valley Wildlife Trust

The Phase 1 Habitat Survey is thorough and comprehensive and there do not appear to be any grounds for an objection for ecological reasons. The survey notes a couple of issues that should be followed up with the applicant – perhaps through planning conditions. These include some procedures to be followed during demolition of the roof structure for the building on site and also the need for some checks for badgers if / when the site is developed.

### **PUBLICITY**

Neighbours were notified. A total of 56 correspondences have been received, 25 of objection and 31 in support. Comments have been received from the following and their comments are summarised below:-

#### Objectors

Mr Alan Fleming, 43 Wensleydale Gardens Thornaby  
Janet Heaviside, 7 Skiddaw Court Nunthorpe  
Spencer Cooper, 7 Skiddaw Court Nunthorpe  
David Holbrough, 64 Princes Square Thornaby  
Daniel Halliday, 2 Middleton Avenue Thornaby  
Vicky McAskill, 24 Leith Walk Thornaby  
David Hodgson, 31 Carlton Drive Thornaby  
N And J Mawby, 72 The Green Thornaby  
Lucy Moore, 41 Darbyshire Close Thornaby  
Terry Finley, 552 Thornaby Road Thornaby  
Robert Swales, 2 Strome Close Ingleby Barwick  
Alan Brown, 7 Rainton Drive Thornaby  
Sharon Moore, 23 Barkston Avenue Thornaby  
Mrs J Callaghan, 3 Aston Drive Thornaby  
C McGinley, 24 Leith Walk Thornaby  
Mr Paul Hughes, 111 Acklam Road Thornaby  
Anthony Booth, 40 Barker Road Thornaby  
Mr Ralph Longhorn, 139 Acklam Road Thornaby  
Mr Ian Underwood, Tees Cottage Acklam Road  
Mr Jonathan woodcock, 115 Acklam Road Thornaby  
Mr Mark Goggs, 113 Acklam Road Thornaby  
M Mallon, 109 Acklam Road Thornaby  
Linda Flynn, 92 Acklam Road Thornaby  
Mrs Jacqueline Gibson, 16 Millfield Close Thornaby  
Leo Carney, 16 Wolsingham Drive Thornaby

#### *Supporters*

Thornaby F C, Teesdale Park Acklam Road  
Burt Perry, 24 Dovedale Close Norton  
S J Raby, 11 Bardsley Close Stockton On Tees  
Thornaby Under 16S And Petitioners, Thornaby Football Club Teesdale Park  
Thornaby FC Under 12S, Teesdale Park Acklam Road  
Paul Simpson, 385 Thornaby Road Thornaby  
Gary Foster, 6 Palmerstone Court Thornaby  
Mr Anthony Foster, 18 Trent Avenue Thornaby  
Mr Martin Finegan, 71 Lulsgate Thornaby  
Mr J Davidson, 51 Humber Road Thornaby  
Mick Waive, 35 Bernica Grove Ingleby Barwick  
Namiq Nadirov, 107 Acklam Road, Thornaby

Teesside Golf Club, 89 Acklam Road, Thornaby  
Joffre Earnshaw, 126 Acklam Road Thornaby  
Malcolm Cook, 122 Acklam Road Thornaby  
Karen Robinson, 120 Acklam Road Thornaby  
K Ward, 124 Acklam Road Thornaby  
Ray Morton, 22 Beverley Road Billingham  
Stuart Tweddle, 11 Charlton Close, Billingham  
Rosie, Earnshaw, 7 Knighton Court, Thornaby  
Neil Marsden, 131 Mansfield Avenue, Thornaby  
Jean Allison, 9 The crescent, Thornaby  
Sharon Atkinson, 11 The Crescent, Thornaby  
Gary Atkinson, 11 The Crescent, Thornaby  
Shaun Appleton, 12 The Crescent, Thornaby  
Lynsey Appleton, 12 The Crescent, thornaby  
Dennis Sedgewick, 14 The Crescent, Thornaby  
Peter Langstaff, 18 The Crescent, Thornaby  
E Langstaff, 13 The Crescent, thornaby  
Maureen Taylor, 16 The crescent, Thornaby  
David Lister, 628 Yarm Road, Eaglescliffe

### **Summarised comments of support**

Thornaby Cricket Club support the scheme as they believe it will improve membership of both the football club and cricket club.

As well as maintaining the current first team pitch there will be a new full size pitch to FA guidelines plus a new junior pitch. These facilities will accommodate all existing users of the current pitches. Should the new pitches be unavailable for any reason then the football club has the capability to utilise the first team pitch for a short term solution. (i.e. the over 35 team who only play 6 games per season can be accommodated if necessary) No current users will be disadvantaged and new pitches will be usable for a greater percentage of time than the existing ones because of better ground conditions and up to date construction methods.

The three new pitches will cater for Northern League, Football Association and Junior Football. They will provide the club with much better flexibility for use because of the higher quality of construction. They will all meet with Sport England and the relevant National Sports Governing Body design guidelines. A method statement will be prepared prior to construction together with a risk analysis and an environmental impact assessment to ensure the new facilities have proper drainage, sub structure and soils management which will promote no loss of soil structure.

Prior to a reserved matters planning application the full information package shall be developed.

The new site shall have enhanced capacity over the existing provisions for competitive sport and multi-use training.

New changing and social facilities provided by the developer means ancillary provision is catered for in excess of that currently available.

The club at present undertake a pitch maintenance plan which has enhanced in particular the current main pitch. This plan will be further developed for the new pitches. The club has 100% confidence in this plan.

The new facilities would all be in the same immediate location and not fragmented as they are currently. This will give the club greater efficiency in running, securing and maintaining the whole development. It will also be more cost effective to run. The new changing facility and clubhouse will

provide greater day to day use for the community and we are confident will promote other sport development.

The new development will enhance the profile of the club and Sports National Governing Bodies will be impressed with the improvement of the whole site. Sports, social, car parking etc has all been carefully considered and planned by the architect.

Delivery of the new site shall be secured through a planning consent and section 106 agreement.

Thornaby Football Club would like to acknowledge that the owners of the site Carlington Developments has supported the club continuously for a great number of years both financially and with services. We are aware that the local playing pitch strategy shows that there is good pitch provision in the area relative to demand and that by providing quality to this development both the club and the interests of sport in the area shall be radically improved.

The Executive of Thornaby Football Club reiterate to both Sport England and The planning Committee that we fully support this development in the interests of the club and the local community on the proviso that Thornaby Football Club do not incur and financial cost, as we continue to move the club forward to community status.

Teesdale Park was initially owned by Head Wrightsons and the facilities there declined following their closure. It was revitalised by Thornaby FC and their supporters and this is much needed investment. Let's not miss this opportunity to add to and restore the nature and traditions of Thornaby.

It will improve area and prevent it being an eyesore

It will protect the football in this area for future generations

The friends of Teesdale Park support the proposal as it will develop the park for community use, in particular special schools, who continue to enjoy the nature.

### **Summarised comments of objection**

We are very much up for the development and improvement to the existing football facilities be that through private investment or funding, but to allow a full housing development to go ahead in order for this to happen would be despicable.

The natural beauty and history that would be destroyed if this development went ahead, it would be devastating for both the town and community of Thornaby, not to mention the wildlife and also the plant life, there a wild orchids growing in lots of places, you would never get to see them on a housing estate. The description is in the name (Teesdale Park) which tells you that it is a park for the people of Thornaby and surrounding areas. It would be an absolute shame and crime to destroy the natural habitat of birds such as Jays, Fieldfare and many other species that are never seen in built up areas. It is also the home and natural habitat of beautiful roe deer, why should their lives be put at risk for the sake of a few houses. School children, dog walkers, and people from all walks of life visit and share the breath taking scenery and tranquillity of all the surrounding area, which I would like to state is the best and the nearest thing to the rural countryside that you will get in a small town like Thornaby.

The applicant does not own the private access road; there is not a public right of way to the proposed site. It is my intention to provide a gated access across my property and the said road.

Sixty new houses will result in a lot of new traffic onto Acklam Road which is a busy road and will affect highway safety.

The back Lane is not adopted and is owned by residents of Acklam Road with the developer having made no approach to residents to address this. The back lane, if used for this many properties would soon become churned up.

The occupier of Tees Cottage will be made homeless.

Loss of valuable green land

There is enough housing in the area,

The green space should be retained to allow kids to play

No account taken about the loss of current wildlife.

The road widening on Acklam Road will result in removal of street trees and there is a virgin media box that would require moving.

Could houses 1 to 8 be relocated and that land act as a buffer between existing properties on Acklam road.

Parking issues are a real problem here and the side lane is often used. Overspill parking used to go over the road but NWL have now blocked all access to this. Line of sight from this junction is poor.

The area to the rear will become lit rather than being dark as it is at the moment.

If you build a main access road and path in front of garages there is a potential for accidents to happen. Pedestrians to get hit by garage doors opening and by cars exiting garages directly on to a main access road and crossing directly over a footpath.

With regards to public transport and access to local amenities. The applicant makes this sound really rather nice and convenient. It is ok if you do not own a car but the reality is that we live in a fast paced environment and if people own a car, they will use a car because it is far more convenient, faster and cheaper than public transport.

The number of cars on that site is likely to be the number of car journeys taken every day, multiplied by however many times they decide to travel to work, the shops, the chippy or whatever.

Why are we talking about giving permission to build on a greenfield site that has had numerous applications turned down in the past. There are still plenty of brown field sites around use them first.

The speed bumps will need to be revised as traffic currently speeds through the entrance to the football club and could easily plough into current residents driving down the access road.

Reading details of reducing the use of transport by supplying extra cycle storage area and the like is codswallop. If the residents want to drive to work they will. Just because there are cycle racks or less parking spaces is not going to lead to everyone leaping on a bus or cycling to work.

Acklam Rd is a major road joining the A66 and A19, quite often this road is clogged with traffic when accidents on either of these roads have occurred and diversions are in place. Peak traffic also backs up down this road on a regular basis also.

Using point 5 above emergency services use Acklam Rd anywhere up to 30 times a day for access to RTA's or indeed any other incidents. Road works and the proposed widening and pedestrian islands will undoubtedly hinder the emergency services at times possibly with the knock on effect of loss of life.

During Winter, snow and ice build-up on the roads causing mayhem, even when the gritters are out the road can often come to a standstill because of stranded traffic. It is only because some residents help push cars up the hill that the traffic keeps moving. The council have never supplied a grit bin to help with the snow. With an extra lane being thrown in on the hill, can only cause even more issues in inclement weather.

For many years many applications to build on the site have been refused including Wimpy, why would planning be given now?

There is still plenty of development going on in Ingleby Barwick we do not need to eat into what little greenbelt land Thornaby has.

When permission was given for Northumbrian water to improve the sewage system across the road. We were told that any widening of the road could not be done due to the works carried out. Has this been considered?

The value on our properties is likely to be impacted due to having a 3 lane road directly outside of our houses. We will also have a main access road directly outside our back gates and garages. Anyone can see that this is a safety concern. This will also make it harder to sell our properties in the future.

The developer seems to think that he owns the road out the back of our properties, this is not the case. We as property owners own parts of that road and are marked as such on our deeds.

Acklam road itself is extremely busy both ways from Stockton to Middlesbrough with build-up of traffic from Lanehouse road and Mitchell avenue, traffic exiting from thornaby golf club, thornaby cricket club and thornaby football club. By adding an extra 60 residential properties that will have to enter and exit via Acklam Rd could only create added vehicle congestion.

back land development

- Car parking issues
- close proximity
- Devaluation of property
- effecting drains
- loss of open space
- loss of privacy
- means of access
- Noise
- scale/size of development
- set precedent
- Traffic or Highways
- visual impact
- Loss of Green Wedge

### **PLANNING POLICY**

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material

considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

### ***National Planning Policy Framework***

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

For decision-taking this means:

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

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

### ***Core Strategy Policy 1 (CS1) - The Spatial Strategy***

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

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

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

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

### ***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.

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.
3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non-domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.
4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.
5. For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.
6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.
8. Additionally, in designing new development, proposals will:
  - \_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
  - \_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
  - \_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
  - \_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.
9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

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

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

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

1. The distribution and phasing of housing delivery to meet the Borough's housing needs will be managed through the release of land consistent with:
  - i) Achieving the Regional Spatial Strategy requirement to 2024 of 11,140;
  - ii) The maintenance of a 'rolling' 5-year supply of deliverable housing land as required by Planning Policy Statement 3: Housing;
  - iii) The priority accorded to the Core Area;
  - iv) Seeking to achieve the target of 75% of dwelling completions on previously developed land.
2. No additional housing sites will be allocated before 2016 as the Regional Spatial Strategy allocation has been met through existing housing permissions. This will be kept under review in accordance with the principles of 'plan, monitor and manage'. Planning applications that come forward for unallocated sites will be assessed in relation to the spatial strategy.
3. Areas where land will be allocated for housing in the period 2016 to 2021:  
Housing Sub Area Approximate number of dwellings (net)  
Core Area 500 - 700  
Stockton 300 - 400  
Billingham 50 - 100  
Yarm, Eaglescliffe and Preston 50 - 100
4. Areas where land will be allocated for housing in the period 2021 to 2024:  
Housing Sub Area Approximate number of dwellings (net)  
Core Area 450 - 550  
Stockton 100 - 200
5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.
6. Proposals for small sites will be assessed against the Plans spatial strategy.
7. There will be no site allocations in the rural parts of the Borough

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

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).
2. A more balanced mix of housing types will be required. In particular:
  - \_ Proposals for 2 and 3-bedroomed bungalows will be supported throughout the Borough;
  - \_ Executive housing will be supported as part of housing schemes offering a range of housing types, particularly in Eaglescliffe;
  - \_ In the Core Area, the focus will be on town houses and other high density properties.
3. Developers will be expected to achieve an average density range of 30 to 50 dwellings per hectare in the Core Area and in other locations with good transport links. In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, higher densities may be appropriate subject to considerations of character. In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, a density lower than 30 dwellings per hectare may be appropriate. Higher density development will not be appropriate in Ingleby Barwick.
4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.

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

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

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

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

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

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

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

ii) Green wedges within the conurbation, including:

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

\_ Leven Valley between Yarm and Ingleby Barwick;

\_ Bassleton Beck Valley between Ingleby Barwick and Thornaby;

\_ Stainsby Beck Valley, Thornaby;

\_ Billingham Beck Valley;

\_ Between North Billingham and Cowpen Lane Industrial Estate.

iii) Urban open space and play space.

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

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

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

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

i) Haverton Hill and Seal Sands corridor, as an important gateway to the Teesmouth National Nature Reserve and Saltholme RSPB Nature Reserve;

ii) Tees Heritage Park.

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

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

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

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

### ***Core Strategy Policy 11 (CS11) - Planning Obligations***

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

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

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

## **Emerging Policies**

### **Regeneration and Environment Local Plan Publication Draft**

#### ***Strategic Policy SP2 - Housing Spatial Strategy***

1. The Council will support housing development in the Core Area and conurbation.

2. The sites of Harrowgate Lane and Yarm Back Lane are allocated to form a strategic urban extension to the west of Stockton.

3. A sustainable new settlement is allocated at Wynyard.

4. The council's approach to housing densities will be as follows:

i) The Council will be flexible regarding housing densities in the Core Area.

ii) In locations with a particularly high level of public transport accessibility, such as Stockton, Billingham and Thornaby town centres, high densities may be appropriate subject to considerations of the character of the surrounding area.

iii) In other locations such as parts of Yarm, Eaglescliffe and Norton, which are characterised by mature dwellings and large gardens, low densities may be appropriate.

iv) Urban extensions are expected to deliver a typical density range for suburban housing of 25 to 35 dwellings per hectare.

v) Densities at Wynyard Village will reflect the exclusive nature of this development.

5. The Council will support the renovation and improvement of existing housing stock and the enhancement of the surrounding environment. Proposals for demolition and redevelopment of obsolete and unsustainable stock will be undertaken in consultation with local communities.

6. The majority of rural housing need will be met within the conurbation. Infill rural housing development that respects the character and density of villages will be supported within sustainable villages as identified in the latest Planning the Future of Rural Villages study.

7. Rural affordable housing need will be met in locations that are adjacent to, as well as within, sustainable villages as identified in the latest Planning the Future of Rural Villages study. The Council will require that rural affordable housing is affordable in perpetuity and meet a need identified in the locality.

8. The Council will only consider allowing market housing in rural locations outside village limits if developers provide robust evidence, in the context of the economic viability of development, that it is needed to support the delivery of rural affordable housing in the locality.

### **Strategic Policy SP3 – Locating Development**

1. Development within the limits to development will be acceptable, in principle, subject to compliance with other relevant national and local policies.
2. A more restrictive approach to development will be applied on land outside of the limits to development in accordance with the protection afforded to strategic gaps and green wedges.
3. The Council will support development in the countryside (land outside limits to development and green wedge) providing it is of an appropriate scale and does not harm the character and appearance of the countryside;  
where it provides:
  - i) Development necessary for a farming or forestry operation; or
  - ii) Farm diversification; or
  - iii) Equestrian activity; or
  - iv) A recreation or tourism proposal requiring a rural location; or
  - v) Facilities adjacent to villages which are essential to their social and community needs; or
  - vi) A suitable scale extension within the curtilage of a residential building or to an existing business; or
  - vii) Other development that requires a rural location for technical or operational reasons; or
  - viii) New dwellings where they:
    - Are essential for farming, forestry or the operation of a rural based enterprise; or
    - Represent the best viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset; or
    - Would re-use redundant or disused buildings and lead to an enhancement of the immediate setting; or
    - Are of an exceptional quality or innovative nature of design
4. Development within the countryside should in the first instance be directed towards existing underused buildings on the site for re-use or conversion and only where it can be demonstrated these would not be appropriate for the intended use should new buildings be considered.
5. Development within the vicinity of a major hazard site or major accident hazard pipeline will only be permitted where there is no unacceptable risk to human health and the environment.

### **Policy H23 Thornaby Football Club**

1. The planning commitment at Thornaby Football Club for 64 dwellings is reaffirmed.

### **Policy ENV1 - Green Infrastructure**

1. The Council will work with partners to ensure the successful creation of an integrated network of green infrastructure. At a strategic level this will be achieved by ensuring that development does not adversely impact upon the Strategic Green Infrastructure Network.
2. Urban open space forms an important component of the Borough's green infrastructure. Where an area of urban open space is lost (in whole or part) to development the Council will seek to impose planning conditions or legal agreements to ensure loss resulting from the development is replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
3. Through the use of planning obligations and conditions the Council will seek to improve the quantity and quality of urban open space. This will be achieved through the delivery of schemes identified within the Green Infrastructure Strategy Delivery Plan and through other opportunities that may be identified.
4. Development proposals should seek to retain and enhance:
  - i) existing landscaping and natural and semi-natural features on site, for example woodland, trees, hedgerows, ponds, wetlands, watercourses and geological features
  - ii) existing formal and informal cycleways, footpaths and bridleways, improving connectivity and creating enhanced environmental settings for these routes.
5. The Council will require new and improved green infrastructure to be integrated into new housing, commercial and other developments. This includes new hard and soft landscaping, and

other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area and enhance the Green Infrastructure Network.

6. The Council support the provision of Sustainable Drainage Systems (SuDS) within new developments. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure.

## **MATERIAL PLANNING CONSIDERATIONS**

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

2. The application site lies within the 'Limits of Development' as defined within the Stockton on Tees Local Plan where residential development is supported in principle. Whilst the site has previously been considered as being within the designated Green Wedge as illustrated on the 1997 Local Plan Proposals Map, the green wedge policy from the 1997 Local Plan was replaced by Core Strategy Development Plan Policy CS10. The detailed plan defining the Green Wedge was not replaced by the Core Strategy Document; instead, the Core Strategy Development Plan relies on a strategic diagram.
3. Although officers have previously placed reliance on the former Green Wedge boundaries, this situation has been changed following a recent High Court judgement regarding the dismissal by the Secretary of State of the planning appeal on land adjacent to Little Maltby Farm, Low Lane, Ingleby Barwick. Following this judgement, officers have accepted that the precise boundaries for the green wedges will be determined in a DPD (the emerging Regeneration and Environment Local Plan) and until then need to consider the borough's green wedge as only the land shown as green wedge within the strategic diagram. Notwithstanding this, an assessment of the visual impact of development may still be a perfectly valid exercise in terms of the effect of the development on the general appearance of the area.
4. Based on the Strategic Diagram within the Core Strategy, (see appendix 6) only a small part of this application site (eastern tip) is underneath the area indicated as green wedge and in the absence of the council having a Development Plan Document highlighting the precise boundaries of the Green Wedge, the council can only give weight to areas defined by the strategic diagram of the Core Strategy.
5. Emerging Strategic Policy SP3 seeks to define the eastern part of the application site as green wedge and Emerging Policy SP2 shows the eastern part of the site as being out-with the limits of development. The interaction between the emerging green wedge, limits of development and housing allocation can be seen at appendix. 7. The application is therefore contrary to emerging policy as it would result in the development of a protected area. However, these policies are currently only at publication draft stage and is considered to carry in sufficient weight at this time to rely on for the refusal of this proposal. The western part of the site which has been subject to approved (but lapsed) housing permissions is an allocated housing site within the emerging plan (Policy H23).
6. Notwithstanding these matters, there is a general requirement via Core Strategy Development Plan Policy CS3(8) to consider the impacts of the development on matters of landscape and character which is detailed in later paragraphs.
7. Objections highlight that the brownfield sites should be developed in advance of green field sites. Whilst noted, developing a green field site is not contrary to national or local guidance at this current time.
8. In view of these matters, the main material planning considerations for this application are the schemes impact on the character of the area, on highway related matters and on

recreation space with the benefit of new housing being weighed against these. These and other material planning considerations are considered as follows;

***Impacts on the character and appearance of the area***

9. The proposed development needs to be considered against national and local policy in relation to the need for developments to adequately take into account and be sympathetic to, the character of the surrounding area.
10. Officers consider that the character of the area where the housing is proposed (southern part of the site) is relatively peaceful and characterised by its un-developed, relative openness, where large trees define the site perimeter and areas within. This part of the site lies adjacent to Thornaby Cemetery which serves to baluster this character. The northern part of the site has a slightly different characteristic in view of the existing football pitch and its associated parking and fencing although remains to be largely characterised by large trees and a relative openness to its periphery. Although the site is on the urban edge of Thornaby, it is secluded in its nature and has a distinguishable contrast in character.
11. Officers have considered the information submitted which has included shading diagrams, landscape visuals and indicative site layout plans. Whilst existing landscaping will benefit the proposed development to some extent, officers consider that a development of this scale would remain to be a notable intrusion into this area and would be particularly noticeable from the cemetery and from areas further afield, due to this part of the site being at a raised point in the landscape and would serve to completely redefine the character of this area. Officers consider this would be contrary to saved Local Plan Policy HO3 and Core Strategy Development Plan Policy CS3 which require housing developments to be sympathetic to the character of the area and make a positive contribution to an area by protecting and enhancing environmental assets.
12. Whilst the eastern tip of the site lies within the green wedge as defined by the core strategy, the impact of the development on the green wedge (on strategic diagram) would not be significantly detrimental in terms of the function of the green wedge.
13. As well as constraints of planting along the mid-section of the site, officers have held a concern that the particularly large poplar trees along the south eastern site boundary would result in the properties along the southern site boundary being in shade for long periods of the day. Notwithstanding revised tree shading diagrams being submitted, officers consider that these do not demonstrate a worst case scenario as officers have witnessed on site almost half the site being in shade and therefore consider that, if developed, there would be a notable restriction on the amount of amenity that residents would achieve. In the experience of officers, this would in turn lead to a notable pressure for the removal of the trees creating this shading. Officers consider that these trees, along with other landscaping throughout the site play an important role in setting the character of the area and would soften any built form proposed from the adjacent cemetery.
14. Thornaby Town Council consider that the proposed housing scheme will adversely affect the nature trail, expansion of relic salt marsh and planting for a woodland cemetery as a result of it being a highly intrusive development. Existing paths across the site are not public rights of way and whilst these comments are noted, these matters in their own right are considered to have insufficient weight to warrant refusal of the application although these are matters which are considered in terms of the detrimental impacts of the scheme on the general character of the area.
15. In respect of the northern site area where replacement pitch's, clubhouse and parking would be provided, officers consider that whilst this would formalise this area to a greater degree and result in more lighting into this area, being at a low level, having existing

landscaping and controls over timing of lighting, that this would be a reasonable intrusion into this landscape, as it is to some extent, managed green space, rather than significant built form.

### ***Impact on play space designations and Sports Provision***

16. The proposal results in the loss of two playing pitches from the upper section of land where the housing development is being proposed and seeks to replace these on the lower area of land in the form of a secondary pitch and an under 10's pitch with a rebuilt club house, new changing facilities and a new car park. National Planning Policy Framework (paragraph 74) states that;
17. *'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless certain criteria are met relating to replacement, need for new facilities or sites being surplus provision'*.
18. In addition, part of the site has been identified as an outdoor sports facility within the Council's open space audit, based on which, the Council has undertaken a robust assessment of open space, sports and recreation facilities which is encapsulated within the Council's Supplementary Planning Guidance which requires protection and enhancement of open space, sport and recreation facilities.
19. Core Strategy Development Plan Policy CS6 gives support for schemes which widen the Borough's sport, recreation and leisure offer and indicates that the quantity and quality of open space, sport and recreation facilities will be protected and enhanced, with existing facilities being enhanced and multi-use being encouraged.
20. Saved Local Plan Policy HO3 advises that housing within the limits to development can be accommodated where, amongst other matters, it is not on land allocated for other uses.
21. The northern part of the site is also defined under saved Local Plan Policy REC 1 as 'playing space'. Saved Policy REC 1 indicates that development which results in the permanent loss of playing space will not be permitted unless sports and recreation facilities can be retained and enhanced through the redevelopment of a small part of the site or an alternative provision of equivalent community benefit is made available or the land is not required to satisfy local needs. Importantly, the area where this application seeks to build housing on is not defined as being land covered by Policy REC1.
22. Comments of support suggest there will be an enhanced capacity over existing provisions for competitive sport and multi-use training with new changing facilities whilst objectors consider it will reduce capacity for people to use Teesdale Park as a more informal arrangement. Supporters suggest the proposed development will give a greater long term future for the football club which could support other sport related development.
23. Sport England were consulted on the proposal which although removes two existing pitch's, provides two new ones. The new pitches would be grouped alongside the main pitch and would be more closely associated with a proposed new club house and car park to serve the redeveloped sports facility. Loss of pitches is only accepted by Sport England in certain circumstances, one of which is that suitable replacements are made. Although Sport England initially objected



to the scheme, they have advised that the revised plans are acceptable, subject to the imposition of conditions and have indicated that without the conditions, their objection would remain. Sport England have suggested conditions relating to;

24. *Thornaby Football Club giving formal notice of their acceptance of the proposals*
  25. *Phasing plan to show how and when the replacement pitches, changing and clubhouse improvements will be provided in the context of the housing development.*
  26. *Detailed designs for the changing rooms are submitted for approval before commencing on site.*
  27. *Sport England's Natural Turf Standard based on an independent sports turf professional's site survey and design.*
  28. *Long term lease for the club on the whole site*
  29. *Community Use Agreement between Thornaby FC and current users i.e. Middlesbrough Ladies*
30. Thornaby Football Club have written in support of the proposed scheme whilst matters of a phasing plan, detailed designs and pitch quality should all form part of any reserved matters or conditions. Matters of a long term lease and community use agreement would also require agreement as Sports England would object without these and in view of local policy requirements.
31. The football club's committee advised that they were satisfied with the plans subject to a number of constraints relating to ground grading, timescales, seating and standing provisions, floodlights, fencing, paths, barriers, who meets the costs and an agreed 25 year lease. Whilst noted, not all these elements form part of this application and some will require private agreement between the site owner, applicant, football club etc. The planning system is unable to reasonably achieve all elements of the football clubs aspirations, particularly in view of some elements such as seating and stands currently not being in existence in any notable form. However, conditions and reserved matters details would be able to address matters such as Community Use, detailed designs for the club house and changing facilities and fencing details etc.
32. In view of these matters it is considered that subject to a S106 Agreement and suitable conditions, adequate re-provisions could be achieved.

#### **Traffic related matters**

33. The proposed development would utilise the existing access from the A1130 Acklam Road which currently serves the Thornaby Football Club and 10 private garages. A previous approval for part of the site established the principle of an upgraded access to serve the site and although this previous approval has now lapsed, similar considerations remain. The A1130 (Acklam Road) has a 30mph speed limit at this location with dedicated on street parking, protected by build outs, on either side of the existing access. The proposed access would include the provision of a dedicated right turn into the site, upgrading of the existing access to include footways, street lighting and traffic calming features with a carriageway width of 4.8m.
34. Traffic to the proposed residential properties will not have its peak movements coinciding with those of the football club which assists in limiting the overall vehicular activity using the proposed access. The submitted figures show that the proposed development would result in an extra 45 trips (14 inbound / 31 outbound) in the AM peak and an extra 49 trips (30 inbound / 19 outbound) in the PM peak. Consideration has also been made of traffic from existing users of the site and an assessment of the capacity of the proposed protected right turn site access junction has also been undertaken which has demonstrated that the junction will operate well within the predicted capacity for a junction of this type.

35. Although there has been objection to the scheme based on additional traffic adding to existing traffic related issues, the Highways, Transport and Environment Manager has confirmed that the proposed access is acceptable in and that the detailed design would need to be subject to a Section 278 Agreement with the Highways Authority with all costs being met by the applicant.
36. Objectors have advised that areas where the highway is proposed is not owned by the applicant and that privately owned garages have doors opening out over land within the application site. Whilst noted, land ownership is not something which would prevent a scheme being achievable on the site in planning terms. The Highways, Transport and Environment Manager has advised that the proposed highway arrangement to the rear of 107,109,111 & 113 Acklam Road (land in question by objectors) is not acceptable although this details footpaths on both sides which is not required. It is considered that adequate space exists to provide a suitable access whilst prevent conflict with the existing garages and were permission to be granted, a condition would be required to achieve further detailed plans of the section of highway immediately to the rear of 107,109,111 & 113 Acklam Road.
37. The Highways, Transport and Environment Manager has also advised that a turning head would be required to serve plots 1-8 which would also need to be conditioned were permission to be granted and provided as part of any approved layout.
38. Although objectors consider that there is insufficient parking within the proposed scheme to deal with match day traffic as the scheme will result in a loss of parking, the Councils Highways, Transport and Environment Manager considers that adequate parking is achievable for both the football pitch's and the housing. Were permission to be granted there would be a requirement for cycle parking provision.
39. In view of these highway related matters, although the proposal is an outline proposal, notwithstanding concerns raised by objectors, it is considered that adequate access for the development can be achieved, being compliant with saved Local Plan Policy HO3 and Core Strategy Development Plan CS2 in these regards.
40. A Travel Plan has been submitted in support of the proposed development and this has identified 'hard' and 'soft' measures to encourage sustainable travel behaviour amongst residents from the outset of the development. The Highways, Transport and Environment Manager has confirmed that the agreement of a Travel Plan would form part of any reserved matters application although as access is detailed as part of this outline application, were outline permission to be granted, it is considered a travel plan condition would be required at this earlier stage.
41. Objections have been raised about road works at the access affecting emergency vehicles passing the site. Whilst noted, this is a traffic control matter.

### ***Housing Provision***

42. The application site is not an allocated site for housing and would normally be considered against the councils policies on windfall housing sites. However, the council is currently unable to demonstrate a 5 year deliverable supply of housing (currently 4.5 years) for the borough and the councils local policies relating to housing provision cannot be relied upon based on the requirements of the NPPF (para. 49). The Local Planning Authority are required to consider new housing sites with a presumption in favour of development. This proposed scheme would result in the provision of around 60 dwellings which would be able to make a reasonable contribution to the 5 year housing supply and this matter weighs in favour of the scheme, which needs to be balanced against other considerations.

43. The Head of Housing has indicated that the Strategic Housing Market Assessment (SHMA) 2012 has identified an annual affordable housing need in the borough of 560 units, with the majority of need being for smaller properties. Core Strategy Policy 8 (CS8) - *Housing Mix and Affordable Housing Provision* requires provision of between 15% and 20% of houses to be affordable for sites of this scale. Were permission to be granted, a requirement for a minimum of 15% of houses to be affordable would be required via Section 106 Agreement.

#### **Impacts on surrounding land uses**

44. The application site lies adjacent to Thornaby Golf Club which abuts the sites northern boundary and housing to the southern side and it is considered that this proposal would not unduly affect these existing uses given that sport / recreation would abut Thornaby Golf Club and housing would abut existing housing.
45. Thornaby Cemetery lies adjacent to the south eastern boundary of the site and this proposal will result in a number of residential properties overlooking the cemetery which will adversely affect the tranquil nature of the cemetery and reduce privacy and create a perception of a lack of privacy associated with the cemetery. In dealing with concerns over shading from trees along the cemetery boundary, the indicative layout plan sought to set properties further away from the boundary with the cemetery which will in part, allow a more generous spacing (between 17m and 35m from cemetery boundary and dwellings) and these distances would allow for planting within gardens to potentially offer some screening between the two sites. Proposed properties are much closer in the mid section of the development. The central mid-section of the proposed housing area is at a position where tree cover adjacent to the cemetery and to the north would be in much closer proximity to the housing bringing greater pressures for tree removal and having greater impacts on future amenity for residents. Whilst there was a previously approved housing scheme in this area, this was first approved in 2006 and has now lapsed. Tree cover since then is likely to be greater and consideration of this current proposal needs to be against the current site circumstances.
46. The impact of the houses is considered to be insufficient reason to warrant refusal of the application although the positioning of the houses would have the potential to place a long term pressure for the removal of trees along the cemetery boundary which if undertaken, would completely change the character of the cemetery and result in significant overlooking. It is considered that the overall impact of housing and potential pressure for tree removal would unduly affect the cemetery contrary to the guidance contained within the NPPF and saved Local Plan Policy HO3.
47. Notwithstanding the above, were permission to be granted, it would be appropriate to remove permitted development rights to properties within the scheme to prevent undue extensions / development within rear gardens where it has the potential to adversely affect the character of the cemetery due to overlooking and dominant features close to the boundary.

#### **Archaeology**

48. The developer has submitted an archaeological desk based assessment in support of the application which Tees Archaeology have advised meets requirements and which concludes that there is some archaeological potential in the area due to a former 19th century brickworks and for general prehistoric or Romano-British activity. Tees Archaeology agree with the report findings that mitigation can be taken forward as a planning condition and were permission to be granted, a condition would be recommended.

### ***Surface Water and Foul Water***

49. Northumbrian Water have advised that there is insufficient information submitted to consider matters of foul and surface water in detail or for an assessment of capacity to treat the flows from the development. They have requested a condition be imposed requiring agreement of these matters, and advise that the development should follow the Surface Water Drainage Hierarchy, being soak-away, watercourse, and finally sewer. Appropriate conditions and necessary attenuation can be achieved by condition were the application to be approved.
50. The Highways Transport and Environment Manager also considers that inadequate surface water drainage details have been provided. Any development would need to be restricted in terms of its run off rate and this would need to be demonstrated by appropriate survey work and calculations. A condition would be necessary to address this were permission to be granted.

### ***Flood Risk***

51. The initial submission detailed the replacement pitches being positioned in a manner which required a retaining structure built out into the course of the old River Tees. In view of this and the Environment Agency initially objecting due to the absence of an adequate Flood Risk Assessment the applicant revised the submission, following which, the Environment Agency have confirmed that they no longer have objection to the scheme subject to the imposition of conditions relating to the scheme being undertaken in accordance with the Flood Risk Assessment and suitable contaminated land assessments being undertaken and verified. These could be addressed by condition were permission to be granted. The Councils Highways, Transport and Environment Manager has considered the revised Flood Risk Assessment and advised that this highlights the potential risk and measures to mitigate flood related risks from the proposed development which includes detailing a 3 metre wide maintenance margin at the top of the watercourse which is free of any structures.
52. The Environment Agency have also provided standing advice in relation to sustainable drainage for the site and an informative is also recommended to address this.

### ***Land Condition and Contamination***

53. Details have been submitted in respect to the assessment of ground conditions, however, these are dated, cover only part of the site and indicate that further work is required. The Environment Agency have advised that there is a historic landfill site located within the application site which consisted of construction wastes and may potentially contain some biodegradable materials such as wood and plasterboard. The potential for the generation of landfill gas from this site is indicated by the EA as being small, however it is nevertheless a possibility and there are no records of environmental monitoring at this site.
54. The Environment Agency have suggested that no development should take place on the site until appropriate land contamination assessments have been undertaken to identify previous uses and likely risks along with any necessary mitigation and this stance is accepted.
55. Along with the contaminated land assessments which would be required by condition an informative is also recommended to address the issue of former land fill. This approach is supported by the councils Environmental Health Officer.

### ***Ecology and Wildlife***

56. The application was supported with a Phase 1 Habitat Survey which incorporated both desk based assessment and site assessment. The assessment considered the 6ha site and noted that there are no statutory or non-statutory wildlife designations either on the site or

immediately adjacent to it. The site was assessed for evidence of bats, badgers, reptiles, great crested newts, birds and mammal species. The report recognises the potential for bats associated with the existing dwelling at the site access and the former club house. It was also recognised that other areas of the site had the potential for water voles to be present. The report indicates no notable evidence of protected species although the site clearly has some potential in view of its size and nature. Tees Valley Wildlife Trust were consulted on the application and consider that the Phase 1 Habitat Survey is thorough and comprehensive and there do not appear to be any grounds for an objection for ecological reasons, suggesting that some issues should be followed up through planning conditions were permission to be granted. These would relate to procedures to be followed during demolition of the roof structure for the existing former club house and the need for pre commencement checks for protected species. Although residents have objected due to the potential impacts on wildlife, in view of the report and assessment by Tees Valley Wildlife Trust, were permission to be granted conditions could be imposed to ensure risk to protected species is minimised.

57. Natural England have responded to the consultation exercise and have confirmed they have no objection to the scheme and have directed the council to consider the development against their standing advice whilst suggested that landscape and biodiversity enhancements should be sought for this application site were the scheme to go ahead. The advice from Tees Valley Wildlife Trust is considered to address protected species considerations whilst any approved scheme for this outline application would need to be followed up by submissions relating to layout, landscaping and other such details where landscaping and biodiversity enhancements could be achieved.

#### ***Contributions and provisions***

58. The earlier applications on the site for housing were required to make certain contributions. Since the determination of these earlier applications, the councils Open space, Recreation and Landscaping SPD has been adopted which requires the provision of open space, recreation and landscaping either on or off site. The nature of this proposal seeks to notably invest in recreation through the provision of two new pitches, changing rooms provision and replacement club house as well as new parking for the recreational facility. In addition, via a reserved matters application on site landscaping would also be achieved and suitable provisions on site to address this could be achieved. In this specific instance, it is considered that an open space recreation and landscaping contribution would not be required subject to gaining the proposed benefits detailed within the submission, which would need to form part of a Section 106 Agreement.
59. In accordance with Core Strategy Development Plan Policy CS11, contributions towards education can be required from development in order to offset the demands placed on the surrounding educational provisions. The Council's School Placement team have advised that the council should pursue a contribution towards primary and secondary places although notes that the provision of places is changing in this area due to on-going developments. However, places can be taken up by other developments and changes in trends and it is considered appropriate to apply the formula as a precautionary approach which only requires payment where there is a lack of places at the time of commencement. Were the application to be approved this would need to be included within a Section 106 Agreement.

#### ***Community provisions and impacts on provisions***

60. Thornaby Town Council have raised concerns over past promises and past applications relating to this site suggesting these have not resulted in improvements to the site, instead, improvements to the site being brought about by hard working volunteers and grant funding. Thornaby Town Council advise that they have made a substantial monetary contribution to the club to prevent the club from going out of existence and that they

currently pay for grass cutting and changing accommodation for juniors, whilst advise that Stockton Borough Council has also made a substantial contribution in terms of security and facility improvements and environmental works. Whilst noted, the matter of past schemes and past promises are considered to not bear weight on this current proposal. If improvements are required to justify this scheme then these could be conditioned or form part of a S106 Agreement accordingly to ensure their provision is made at an appropriate time prior to the completion of any housing development.

61. Thornaby Town Council and others consider that the top pitches where the housing is being proposed is also used by a number of junior teams, the over 45s and other users and consider it to be a priceless amenity space. Residents have further advised that school children, dog walkers and others would no longer be able to enjoy this area on the edge of Thornaby. The active recreation space is being replaced on the lower section of the site and Sport England have been consulted on the proposal and subject to community use agreements, are satisfied with the re-provision of pitch's. With regards to the loss of generic open space usable by residents in an ad-hoc manner (rather than planned sports), the site is not allocated open space and as such its loss would not be contrary to current policy. The eastern site area is designated within Emerging Policy as green infrastructure where development would not normally be supported which is considered elsewhere in this report.

#### **Other Matters**

62. The Police Architectural Liaison Officer has indicated that there are no obvious concerns with regard the layout of the development although would like detailed consideration to be given to rear boundary treatments which back onto open ground. Were permission to be granted a condition could deal with this matter.
63. The Ramblers Association consider the scheme demonstrates a missed opportunity of creating a walkway for both residents and visitors adjacent to the course of the old River Tees and have requested some thought be given to this and to a walk/cycle way affording a motor-free access to the Teesside Retail Park and beyond. Others have raised concern over the indicative layout and were permission to be granted at outline stage, reserved matters of the layout could address some of these considerations. However, a pedestrian path to Teesside Park would require numerous land owners to agree it and would arguably need to be lit and safe which in view of the nature of the character of that area, may not be desirable. It is also considered this would be an unjustified provision based on the extent of housing being proposed.
64. Support has been given by Thornaby Cricket Club who consider the scheme will improve membership of both the football club and cricket club.
65. Objections are raised about the scheme affecting property values which is not a material planning consideration.

#### **CONCLUSION**

66. The outline application has adequately demonstrated that adequate access can be achieved for the site and that there would be no notable adverse impacts on surrounding uses (excluding cemetery), wildlife, highway safety, sports provision and other similar matters. However, it is considered that there would be significant detrimental impacts on the character of the area and on the cemetery which would be contrary to the guidance within both local and national planning policy. It is further considered that insufficient information has been provided to address matters of flood risk from surface water.

67. It is recommended that the application be refused for the reasons detailed above.

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

**WARD AND WARD COUNCILLORS**

Ward Mandale and Victoria  
Ward Councillor Councillor S F Walmsley, Councillor T Large, Councillor Tracey Stott

**IMPLICATIONS**

**Financial Implications:**

There are no known financial implications in determining this application.

**Legal Implications:**

There are no known legal implications in determining this application.

**Environmental Implications:**

Environmental Implications relate to the loss of green space to the proposed development and its associated impact on wildlife. In view of the sites location, character and surroundings, the environmental implications are considered sufficient to warrant refusal.

**Human Rights Implications:**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. The detailed considerations within this report take into account the comments made against the scheme and the impacts on surrounding residents.

**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. The provision of housing in this area to the degree proposed would introduce greater activity and surveillance into this area whilst the new highway access has been deemed to be suitable given the nature of the existing highway arrangements

**Background Papers**

Stockton on Tees Local Plan Adopted 1997

Stockton on Tees Adopted Core Strategy – 2010

Stockton on Tees Landscape Capacity Study (White, Young Green)

Tees Valley Biodiversity Action Plan

Other applications and planning history for the site

**Emerging**

Regeneration and Environment Local Plan – Publication February 2015.

**Supplementary Planning Documents**

SPD2 – Open Space, Recreation and Landscaping

SPD3 – Parking Provision for Developments

SPD6 – Planning Obligations

SPD8 – Affordable Housing