



Date: Wednesday, 27th July, 2016 at 1.30 pm

Venue: Auditorium, Stockton Baptist Tabernacle, The Square, Stockton-on-Tees TS18 1TE

Cllr Norma Stephenson
O.B.E(Chairman)
Cllr Stephen Parry(Vice-Chairman)

Cllr Helen Atkinson
Cllr Nigel Cooke
Cllr Philip Dennis
Cllr Elsi Hampton
Cllr Mick Stoker
Cllr Mrs Sylvia Walmsley

Cllr Carol Clark
Cllr Gillian Corr
Cllr Lynn Hall
Cllr Paul Kirton
Cllr Tracey Stott
Cllr David Wilburn

AGENDA

- 1 Evacuation Procedure**
Procedure 23K/bytes attached [Page 1]
- 2 Apologies for absence**
- 3 Declarations of Interest**
- 4 Recording of Council Meetings**
- 5 Minutes from the Planning Committee Meeting which was held on the 25th May 2016.**
For approval and signature
Minutes attached.....[Page 3]
- 6 15/1643/OUT**
Land South Of Kirklevington, Thirsk Road, Kirklevington
Outline application for the construction of up to 145 dwellings and associated community and sport facilities (all matters reserved)
cover report attached.....[Page 39]



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Main report attached.....[Page 41]
 update report attached.....[Page 91]
 housing appendices attached.....[Page 93]

7 16/1029/FUL

**Fairfield Garage, 318 Bishopton Road West, Stockton-on-Tees
 Proposed extension to rear, raising of roof height, installation
 of retaining wall and 1.8m high timber fence to northern and
 western boundary**

Report attached.....[Page 97]
 appendix 1 existing plan attached.....[Page 109]
 Appendix 2 - Proposed elevations attached.....[Page 111]
 Appendix 3 - Proposed floor plan attached.....[Page 113]
 Appendix 4 - Proposed site plan attached.....[Page 115]

- * Exempt Item
- ± Delegated item



Members of the Public - Rights to Attend Meeting

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

Persons wishing to obtain any further information on this meeting, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please

Contact: Governance Officer Sarah Whaley on Tel: 01642 528686 or email sarah.whaley@stockton.gov.uk

Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in paragraphs 9 and 11 of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the Member's financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the Member or any person described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a Member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code).

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a Member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) (**paragraph 21** of the code).



Members are required to comply with any procedural rule adopted by the Council which requires a Member to leave the meeting room whilst the meeting is discussing a matter in which that Member has a disclosable pecuniary interest (**paragraph 22** of the code).

Baptist Tabernacle Auditorium

If you hear the fire alarm sound please exit by the nearest emergency exit. There are two exits from the room to my right and left, and a further two at the back of the room adjacent to the main seating. The assembly point is immediately outside the building outside the café.

Planning Committee

A meeting of Planning Committee was held on Wednesday, 25th May, 2016.

Present: Cllr Norma Stephenson O.B.E(Chairman), Cllr Stephen Parry(Vice-Chairman), Cllr Helen Atkinson, Cllr Gillian Corr, Cllr Philip Dennis, Cllr Lisa Grainge(Sub Cllr Michael Clark), Cllr Elsi Hampton, Cllr Paul Kirton, Cllr Jean O'Donnell(Sub Cllr Nigel Cooke), Cllr Mick Stoker, Cllr Tracey Stott, Cllr Sally Ann Watson(Sub Cllr Lynn Hall), Cllr David Wilburn

Officers: Colin Snowdon (PH), Greg Archer, Andrew Glossop, Simon Grundy, Joanne Roberts, Peter Shovlin(EG&D), Julie Butcher(HR,L&C), Sarah Whaley(AD&ES)

Also in attendance: Applicants, Agents and Members of the Public.

Apologies: Cllr Michael Clark, Cllr Nigel Cooke, Cllr Lynn Hall, Cllr Mrs Sylvia Walmsley

P Evacuation Procedure

15/16

The Evacuation Procedure was noted.

P Recording of Council Meetings

16/16

The Chair informed Members of the Committee and Members of the Public that the Planning Committee meeting was to be recorded as part of the Council's commitment to legislation permitting the public recording of public meetings, and in the interests of ensuring the Council conducted its business in an open and transparent manner. These recordings would be made available to the public via the Council's website. Members of the public present who preferred not to be filmed/recorded/photographed, were asked to make it known so that so far as reasonably possible, the appropriate arrangements could be made to ensure that they were not filmed, recorded or photographed.

P Declarations of Interest

17/16

Councillor Sally Ann Watson Declared a personal interest in relation to item 15/2531/OUT Land Off Roundhill Avenue, Ingleby Barwick, Stockton-On-Tees as she had previously submitted comments which were detailed within the main report. Councillor Watson reserved the right to speak but did not vote on the item.

P Planning minutes from the meetings which were held on the 30th March and the 13th April 2016.

18/16

Consideration was given to the minutes from the Planning Committee meetings which were held on the 30th March and 13th April for approval an signature.

RESOLVED that the minutes be agreed and signed as a correct record by the Chair.

P 15/2082/FUL

**19/16 Land East Of 2 Bentley Wynd, High Street, Yarm
Construction of 20 bed boutique hotel and related bar and bistro and
creation of vehicular access.**

Consideration was given to a report on planning application 15/2082/FUL Land East Of 2 Bentley Wynd, High Street, Yarm.

Planning permission was sought for the erection of a 20 bedroom boutique hotel and bar/ bistro. The proposal was on the site of the former Campbell's tyre depot in Yarm Centre which had been a vacant plot for in excess of 10 years although which had an extant permission on the site for a Café/Bistro with 3 residential flats above.

A number of objections had been received which, in the main, suggested the proposed building was out of scale for the area, would increase traffic and parking requirements in an area where demand was already high, would result in inappropriate vehicle manoeuvres within the area, would unduly affect the adjacent listed building and would result in an increase in anti-social behaviour in the immediate area by bringing the evening economy from the central area of Yarm to the end of the High Street of the proposed development. A number of supporting comments had been received suggesting the building would be a valuable addition to the High Street, that the hotel was a needed addition which would support local businesses and that parking could be catered for within the centre.

The hotel and bar / bistro would serve to support one another although were intended to be open to visiting members of the public. The previous café/bistro approved at the site had its opening hours limited to 8pm based on concerns that opening later would result in the evening economy within the central area of Yarm spreading to the southern end of the High Street where there was a quieter, more residential character. An earlier application to extend the opening hours of the approved café/bistro (to 11pm) was refused by the Local Planning Authority, and the associated appeal was subsequently dismissed, for similar considerations.

The proposal sought to open the bar / bistro until 11pm and in view of the previous applications and appeal, officers had carefully considered the likely impacts of the scheme. Importantly, the proposal was a different offer to that previously approved. Officers considered a hotel with associated bar/bistro which was also open to visiting members of the public would be suitable subject to adequate controls to prevent the bar being a standalone use or a bar / nightclub emerging on the site, which would be likely to result in greater levels of impacts on amenity. Conditions had been recommended to prevent the

premises being used as a bar by visiting members of the public. Controls over servicing and hours of opening were also recommended to protect amenity.

The Highways, Transport and Environment Team had objected to the proposed development on the basis of a lack of parking being provided on site, the nature and intensification of the proposed layby and on other highway related matters. Notwithstanding this, it was considered that the site was in a position which would be well served by existing parking associated with Yarm Centre and this proposal would not result in significant harm to matters of parking and highway safety and that adequate provisions could be made subject to controlling conditions.

The proposed building was considered to be of a suitable scale for its position on the High Street and although being a large building, would not unduly dominate or affect privacy and amenity of the surrounding properties subject to controls being imposed by condition as recommended. The proposed development was considered to be in accordance with local and national guidance to protect and respect heritage assets including Yarm Conservation Area and nearby Listed Buildings.

The proposal was considered to be acceptable in Flood Risk Terms, Archaeology and other such matters, all subject to works being undertaken in an appropriate manner as controlled by conditions.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was 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 required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should 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 planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The planning Officers report concluded that the application be approved with conditions for the reasons as set out within the main report.

Members were presented with an update report detailing considerations since the publication of the committee report. Highways, Transport and Environment had given further consideration to the highway safety concerns they had relative to the scheme and these considerations were appended to the update report. It was now suggested that to remove their concerns regarding use of the layby the layby should be removed from the scheme and servicing be undertaken from within the site. The considerations advised that service vehicles using the layby as proposed would have already been required to reverse into the application site to undertake a 3 point turn and re-enter the High Street, rather than taking a more problematic route around West Street which was the approved approach in relation to the extant consent. The service vehicles would still undertake the same manoeuvre but would also load and unload on the service road within the site.

This proposal was acceptable in terms of highway safety given it was not requiring additional manoeuvres than would already take place. The removal of the layby from the scheme would reduce the impacts on the amenity of the approved but yet to be built mews development on the opposing side of Bentley Wynd as service vehicles would no longer be parked directly in front of those properties. Instead, the service vehicles would be within the walled parking area associated with the proposed use. The additional impacts on the adjacent residential property of 2 Bentley Wynd as a result of removing the layby would relate to movement of goods into and out of service vehicles. The existing high wall between the two sites would limit any visual impact and reduce some of the associated noise impacts. Given the position of the layby initially proposed only being several metres away, given there being likely to only be a small number of service vehicles attending the site and given the ability to limit the hours when the premises could be serviced (away from the early or late hours and only limited servicing on weekends), it was considered that this would not be a significant impact on the amenity of the adjacent property.

It was recommended that the application be approved in line with the recommendation within the main report subject to the amendment of conditions 11, 12 and 13 which control the provision of parking, the layby and layby management. It was recommended that these be amended to ensure only staff use the on-site parking to prevent visitors vehicles making awkward manoeuvres into and out of the site when there was insufficient capacity for all visitors, for control over servicing hours and for the agreement of a service arrangements management plan to be agreed as detailed within the update report.

Objectors were in attendance at the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- The owner of no.2 Bentley Wynd which would be immediately adjacent to the proposed development explained to Members that herself and her husband strongly opposed the development as detailed below:
- The submitted plans and the submitted planning and heritage statement were inaccurate. They did not include a recently extended kitchen diner which was now situated much closer to the proposed hotel. The hotel rear wall would now be situated 6 metres away from the gable end of the house, not 12 metres as shown. The access road was now only 2.5 metres from the gable end. The plans also stated that there were no habitable windows or doors on the gable end of the house however this was incorrect. The kitchen/diner had a large window and glazed door on that aspect.
- The impact of noise, odour, refuse management and loss of light due to the extreme close proximity of the proposed hotel bar and bistro to 2 Bentley Wynd's kitchen/diner, which was the main family living area. The plans were showing that the commercial kitchen was situated adjacent to and in very close proximity to the kitchen of the house. The resident of 2 Bentley Wynd feared intolerable and unrelenting noise and smells from the hotel kitchen, its extractor fans and waste management which would impact immensely on the family due to proposed long business hours operating 7 days a week 365 days a year. To date no plans had been submitted to ensure that the development had minimal environmental impact on local residents.
- There were concerns raised in relation to the loss of privacy and amenity that the plan had on all local residents, for example, as a recommendation to obscure windows facing private residence. These windows according to the plan would still be able to be opened thus potentially giving clear view from the hotel into the home and private garden of 2 Bentley Wynd.
- Road safety concerns were highlighted for local residents and visitors to Yarm. The vehicular access for service vehicles was dangerous, it failed to meet the councils access and on-site turning standards. No sensible plans for deliveries and refuse collections had been made. The proposed layby was dangerous. It had been highlighted that associated parking would also be dangerous which had all been highlighted in the submitted report by the Highways Transport and Environment department objecting to the plans. Children walked, cycled, scootered and used skateboards up and down Bentley Wynd. School children who crossed the road to go to school would be crossing the road in the path of reversing vehicles.
- The proposed development would be surrounded by private houses and

gardens on all sides. It was not part of Yarm Town Centre and it never had been. The area was a designated residential area within Stockton's own town plan. It was a quiet place away from all of the night time business where families lived.

- The area was where 7 new families were going to live shortly when the development directly opposite was completed. All the front facing windows of the 7 new houses would directly face a wall of hotel windows only 11 metres apart.

- Road safety was a major concern and inadequate car parking. These were not NIMBY objections these were objections which had been upheld by Stockton's own Highway and Transportation department. In their words 'the application would have a detrimental impact on the safety of other road users which was considered to be severe and therefore unacceptable'. The parking provision was considered to be inadequate and the location of the proposed drop-off layby was also considered to be unsafe. There was talk of removing the layby, however if this was removed it would increase the hazards of the reversing traffic in and out of the small access route at the back of the proposed development and would be a difficult manoeuvre and in reality people would just pull in on the pavement anyway where the layby was going to be and block the access for the road users and pedestrians.

- Objections were raised in relation to loss of privacy, Anti-social behaviour, noise, smell of smoke, all of which no one would deny were associated with a 24 hour operating hotel with a bar and restaurant. Stockton's own environmental health team had concerns regarding the use of the proposed bar/restaurant and objected to the site being used as a late night drinking establishment due to its residential location.

- The Applicant had been trying for 16 years to get planning permission for a night-time business on the site but it had been repeatedly refused due to 'undue detrimental impacts on privacy and amenity associated with surrounding residential properties'.

- A café bistro was granted planning permission previously however with conditions to ensure the business was closed by 8.00pm. The Applicant applied to remove the conditions to extend the opening hours which was also refused. This was then taken to appeal and the council's decision was upheld.

- It wasn't ok 5 years ago to have a business on this site. Now the Applicant was looking to replace what would have been 3 apartments above a bar/bistro with 20 hotel rooms and open it 24 hours a day and still have an evening bar and restaurant. This proposal was worse than the last with a more detrimental impact.

The Applicants Agent was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- The application site had extant consent for a café/bistro with residential flats above. The extant situation and neighbouring occupants who had recently occupied the neighbouring property were aware of the extant consent.
- Objectors concerns in relation to the operating hours was appreciated however Yarm High Street had changed considerably in the last 5 years with recent planning application approval for extension of hours along Yarm High Street.
- The current application would significantly enhance the character at present of a desolate area. It would have a major economic and employment benefit in the retail centre.
- In terms of layout design and scale, Historic England and the councils Historic Buildings Officer raised no objections to the application. They both considered it would improve the vacant and derelict site for the better of the conservation of Yarm.
- In terms of amenity the councils Environmental Health Unit had confirmed that they had no objection to the development subject to the imposition of appropriate planning conditions.
- The application site was located in a highly sustainable location. Every mode of transport was available. There were several car parks within walking distance of the proposed site.
- In relation to the update report provided at the meeting the agreement to remove the elements from the proposal as requested from the councils Highways Officers, was now considered not to raise any highway safety considerations or impact.
- The Applicant was also keen to work with the council to improve the public realm with contribution which would improve the immediate area of the application site.
- This project would eradicate a desolate site and bring forward a viable use which would financially benefit the Borough. It would bring employment to local people, and support the council's aspiration to boost tourism by providing high quality accommodation.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- Concerns which were raised in relation to detrimental impact on amenity and privacy, any approval recommended was subject to servicing hours and the nature of servicing being agreed with Planning Officers.
- There were some properties directly opposite the site, however Yarm did have a tight knit grain and the very nature of Yarm conservation area was that properties were in closer proximity than you would find in other areas which ultimately meant that windows were in closer proximity to one another. Officers felt however that through obscured glazing the majority of impact could be offset.
- In relation to the previous approval which was limited to 8pm for the café/bistro, Officers viewed the current proposal as a different nature of use although accepted that there was potential for impact on amenity and therefore were looking to prevent the bar being a standalone bar in its own right and that the establishment operated as a hotel bar/bistro which could also be open to members of the public but not as a standalone bar.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Questions were raised in relation to whether the hotel had a lift and if so was it DDA compliant?
- Was the proposal outside the limits of development for the High Street?
- A Member requested information in relation to the national guidance which related to car parking for a hotel development of this scale as there seemed to be far too few spaces provided within the curtilage of the development.
- Concerns were raised relating to the location of the proposal and its close proximity to residential properties. 6 metres next to someone's main living space seemed to be too close. Access for service vehicles going passed would be even closer to the kitchens and the waste storage, and although there would be rules in place for waste storage and operating hours, people could get lazy and not follow the rules.
- Comments were made regarding the reasons for refusal of the previous application for the proposed site. Members appreciated that the current proposal was different to what had been proposed previously however the plan was showing that the lobby and the bar/bistro entrances were separate to one another and the bar/ bistro would be recognized separately to the hotel entrance, therefore looking materially different and standing out from each other. Concerns were raised that the bar/bistro would go beyond what was previously agreed of 8pm when in fact it was in a residential area.

- The previous application relating to the proposed site of a café/bistro with 3 apartments above also included associated car parking. The Hotel had 20 bedrooms and a bar/bistro with only 4 staff car parking spaces to be provided which was totally inadequate with no parking for guests. The parking in Yarm High Street was predominantly short term between the hours of 9 until 5 and limited to a 3 hour stay. Long stay parking was very limited and what there was filled up quickly. Since the recent introduction of residents permits on West Street, parking for none residents were limited to one hour with no return within two hours. Reference was made to paragraph 49 of the material planning considerations contained within the main report and according to local parking standards for an application of this nature a total of 16 spaces would be required for the overall scheme. It was understood that the landowners of the site promised to donate the land to Yarm for parking however we now have an application which would increase parking problems which already existed in Yarm Town Centre.

- Officers had already covered previous applications in 2007 for a café/bistro with opening hours of 8.00pm and then an application to extend the opening hours which was refused and dismissed on appeal, the reason was the impact this would have on the surrounding quiet residential properties due to the main night time economy spreading to the southern end of the high street. The Agent had stated that night time economy had spread along the High Street. This was not so in respect of this part of the High Street which was still a quiet residential area.

- The current application still sought to open the bar/bistro until 11.00pm and the hotel would be open for 24 hours 365 days of the year. Something certainly needed to be done with the site but the current proposal was not the answer.

- Concerns were raised in relation to the list of supporters and objectors which were as far and wide as Southampton, Lincolnshire and Leeds. 30% of supporters/objectors were not from the area.

- The development was too large for the size of the site and consideration should be given to reducing its size.

- The impact of the proposal would be very detrimental to the people who lived in close proximity to the site.

- If this development was allowed to go ahead then it appeared to be obvious that the facilities would extend to those who were not staying at the hotel.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- Officers confirmed that there was a lift within the building.
- The site was within development limits and was outside of the town centre boundary which ran alongside Bentley Wynd. The site had been a commercial site for a long time previously and it did have approval for a café/bistro.
- In terms of servicing and refuse comments that had been made in relation to rules being broken, conditions would be in place which could be enforced against any breach of those conditions.
- Where parking concerns had been raised, it was felt by Planning Officers that this particular location would be difficult to maintain an argument on appeal that it would be unreasonable for hotel guests to use existing parking within Yarm centre as there were plenty of hotels which relied on town centre parking rather than in curtilage parking. The parking which was to be provided although minimal was adequate for the use.
- Officers had concerns in relation to the bar becoming just another pub in Yarm therefore conditions had been imposed and would be looked at alongside the Licensing Committee. There would be Planning and Licensing controls in place and licensed premises were monitored and such things such as refuse would also be looked at as part of food hygiene and health and safety inspections therefore more monitoring than simply waiting for complaints from residents.
- Officers informed the Committee that there had been initial safety concerns in relation to highway safety which were all associated with the layby and the operation of that and the pedestrians crossing. Those concerns had now been removed with the removal of the layby from the scheme.
- In terms of the reversing vehicles, this was part of the extant permission as it was always expected that refuse/service vehicles would enter the access road by reversing and exiting in forward gear onto Bentley Wynd and then onto the High Street which would be controlled by a condition.
- Where concerns had been raised relating to the lack of car parking, there was an abundance of car parking spaces in the high street although very popular and well used would possibly not be supported by an inspector if used for reasons for refusal, however it was still a concern of Officers.
- Issues raised surrounding lack of privacy and impact on amenity, conditions could be put in place so no undue impact was caused however most developments impacted on local amenity. The site was formerly a commercial site in the form of a tyre and exhaust fitting garage with limited controls on hours of operation. Members needed to bear in mind that there was already a use approved for a bar/bistro and 3 residential properties above which would

also have had windows facing towards the surrounding properties which would have impacted on privacy and amenity.

- Officers had given weight to the economic benefits of the scheme. The current site was causing a detrimental impact to the character and appearance of the conservation area and it was felt that this site did need developing including the one opposite which had been vacant for over 10 years.

- Officers clarified that commercial refuse was normally collected differently to residential and therefore a condition was applied to the application.

- It was confirmed that the current proposal extended further than that of the previously approved application and therefore would be closer to the adjacent property, 2 Bentley Wynd.

A vote then took place and the application was refused.

RESOLVED that in the opinion of the Local Planning Authority, planning application 15/2082/FUL Land East Of 2 Bentley Wynd, High Street, Yarm development would result in the overdevelopment of the site, being in particular close proximity to 2 Bentley Wynd and the residential development site on the opposing side of Bentley Wynd and would have an undue impact on the privacy and amenity associated with the adjacent properties particularly as a result of its position within the site, the nature of the use and the extent of windows overlooking properties thereby causing demonstrable harm, being contrary to the guidance contained within the National Planning Policy Framework.

In the opinion of the Local Planning Authority, the proposed use and its intended hours of opening would result in the evening economy associated with the centre of Yarm extending into a residential area and the associated impacts of the use would have significant adverse impacts on the amenity of residents within the surrounding area due to the consequent general noise and disturbance being contrary to the guidance contained within the National Planning Policy Framework.

P 15/2531/OUT
20/16 Land Off Roundhill Avenue, Ingleby Barwick, Stockton-on-Tees
Outline application with some matters reserved for a residential development of up to 65 no houses and associated access.

Consideration was given to a report on planning application 15/2531/OUT Land Off Roundhill Avenue, Ingleby Barwick, Stockton-on-Tees

The application was a former agricultural field which appeared to have been used for spoil from the development of Ingleby given the presence of mounds on the site. Centrally within the site lay an access track and pumping station. A public footpath and bridleway also ran through the site adjacent to the eastern boundary. White Horse Farm and the residential properties of Bala Close, Marchlyn Crescent, Harlech Court, Nolton Close and Newgale Close surrounded the application site, while the River Tees lay to the west.

Planning permission was sought in outline for a residential development of up to 65 no houses and associated means of access, with all other matters being reserved for a future submission. Access into the site was proposed from Blair Avenue running through the area which currently provided the bridleway.

A total of 135 objections had been received to the application with the main objections raising concerns in relation to the loss of a piece of the green wedge; loss of an area used for recreational purposes; that Ingleby had insufficient infrastructure; and the impact on traffic and the highway network.

Given that the Local Authority was unable to demonstrate a five year housing land supply the proposed development and its contribution towards the Borough 5yr housing land supply weighed in favour of the proposed development. As outlined within the report the scheme was not considered to have any significant impacts on the visual amenity of the area or highway safety, while matters regarding the final design and impacts on the neighbouring residents would have to be considered at the reserved matters stage. The proposed development would also have some other associated benefits in providing additional housing and helping to contribute towards the aim of delivering a country park along the Tees corridor.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was 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 required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended

required in dealing with such an application [planning application] the authority should 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 planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that in view of the information detailed within the main report and given that the Local Authority was unable to demonstrate a five year housing land supply the proposed development and its contribution towards the Borough 5 year housing land supply weighed in favour of the proposed development. The site was identified within the emerging Regeneration and Environment local plan (RELP) as a potential housing allocation and although little weight could currently be given to this document, it indicated that the site was suitable for a residential development. As outlined within the report the scheme was not considered to have any significant impacts on the visual amenity of the area or highway safety, while matters regarding the final design and impacts on the neighbouring residents would have to be considered at the reserved matters stage.

In view of all considerations and despite the objections from the local residents it was considered that the associated benefits of the proposed development in providing additional housing and achieving the aim for helping to deliver a country park along the Tees corridor would offer some significant economic, social and environmental benefits would outweigh any resultant harm. As a consequence the proposed development was recommended for approval subject to those conditions and heads of terms identified within the main report.

Objectors were in attendance at the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Objections were raised due to the impact on the protected species of the great crested newt. The species used the long grasses on the proposed site for its natural habitat and there was also a breeding pond which was very close to the perimeters of the site. An objector claimed to have photographic evidence of great crested newts on the site from May 2015 which was logged with biological records. There was however no mention of those biological records within the wildlife report which was carried out.

- There would be an impact on the wider community for the loss of the outdoor recreational space. The land did have a bridal path, a public path which was widely used by young and older members of the community. The land which was to be passed on by the developer for public use was very steep and was not going to be accessible by many members of the community.

- There were significant old hawthorn hedgerows on the site to the western boundary and also to the north eastern boundary. The north eastern boundary hedgerows did not seem to be mentioned in the planning application and they would come under planning regulations 1997.

- It was understood that there was a requirement for housing to be built however Ingleby Barwick was already over populated. Road improvements were being carried out to cope with the current amount of residents in Ingleby Barwick.

- There had been an original application for 30 houses on the site however that had now increased to 65. There were no doctors appointments available for at least 2 to 3 weeks. Surely Stockton Borough Council had other areas they could meet the shortfall of houses other than Ingleby Barwick.

- Developers took a gamble of purchasing land on Ingleby Barwick without planning permission and it was now time that Stockton Borough Council listened to its residents.

- Ingleby Barwick did not have the facilities or the infrastructure to cope, and there was no space left to build houses.

- Questions were raised from residents of Ingleby Barwick asking if the public footpath diversion order had been implemented to re-route the bridal way for the proposed new build, and if so who authorised it?

- The proposed development site was a huge asset to the local community in its current natural state. It was a haven for wildlife and a well-used area for dog walkers and none dog walkers. It would be a disgrace if this area was destroyed in order to build more houses in a town which had already reached saturation point.

- Ingleby Barwick was full. The roads were full and the schools were oversubscribed. Doctors surgeries could not provide an adequate service for the current population and this was before the many more houses which were planned were completed.

- The ecology report submitted regarding the application failed to mention the diversity of wildlife on this site which included toads, frogs, deer, bats, foxes, field mice, voles, and numerous species of butterflies and countless birds including kestrels, yellow hammer and skylarks. The red clover that grew there was vital for the diminishing bee population. The area should be left as a natural habitat for these creatures that had no voice to object to the destruction of their environment.

- Surely there were brown field sites which would be more suitable for the

purpose of this development instead of continuing with the overdevelopment of Ingleby Barwick.

- This was the last green belt on Ingleby Barwick and residents failed to see why there was a need to build on it.

- There were currently 167 properties for sale on Rightmove in Ingleby Barwick so why was there a need to build more.

A letter was read out during the meeting from a 7 year old boy of a resident of Ingleby Barwick who asked the Committee to save the proposed site for the community and the nature which was there.

- The pictures which had been shown during the meeting did not do the site justice. The piece of proposed land was probably the only piece of land of natural beauty in Ingleby Barwick. Wildlife was in abundance it was enjoyed by local residents and families.

- It would be a total shame to destroy something so beautiful.

- Please reject the application and keep something to be proud of in Ingleby Barwick and keep a piece of green and pleasant land.

The Applicants Agent was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- The proposal was for residential development which was entirely policy compliant and which ticked all the boxes regards compliance with the NPPF in terms of sustainable development criteria.

- The site lay within the limits of development, had good links to local facilities and amenities, was accessible by various modes of transport including walking and cycling and the proposals were fulfilling the social, economic and environmental roles of sustainable development as identified in the framework.

- The site had previously been identified as a suitable location for new housing development through the Regeneration and Environment Local Plan.

- It was acknowledged that the plan was stalled however it was understood that there was concern that the plan may not bring forward sufficient housing sites and that additional housing allocations may have been necessary.

- The site was not an area of public amenity space although there was a public right of way running along the eastern boundary and this would be protected. The significant benefit of the proposal was the associated transfer of 4.89

hectares of land to the immediate west of the site to the council to assist in the delivery of a country park along the River Tees as part of the Tees Heritage Park. This would be available to the public and accessed through the development site. The land the applicant was proposing to allocate to the heritage park was larger than the proposed development.

Ward Councillor Ross Patterson for Ingleby Barwick West was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- Ingleby Barwick was approved by the Planning Inspectorate in 1978 with no conditions. All the land was private land and development went beyond the masterplan with a lack of facilities.
- Members had in the past, many years ago, tried to stop further development on the green wedge. Now under the NPPF the power was taken away from the local authority, however they had been very supportive in trying to stop applications such as Little Maltby Farm.
- Currently there was traffic schemes in place, there were just enough primary school places, however 600 children were still being bussed off to secondary school. Doctors surgeries were full and Ingleby Barwick just didn't need any more houses.
- One of the conditions under the Heads of Terms of the S106 agreement was to use £180,000 of that money which would come in from the scheme and put it off site for affordable housing elsewhere. If the Committee were minded to approve that then that money shouldn't be going outside of Ingleby Barwick. Ingleby Barwick needed services which is where the money should be spent.
- Please refuse the scheme.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- There had not been approval on the moving of the bridal path and it would require diversion approval. It was a formal process but it hadn't come in yet however would be considered in due course. It would be published allowing people to comment at that time.
- Picking up on issues regarding the great crested newts and other wildlife. Under planning legislation only certain species were protected and some were not given the same type of protection as the great crested newt. As eluded to in the presentation an ecological appraisal had been carried out by the developer, a professional competent person that had made a number of recommendations and mitigation measures as part of the scheme. This had been considered by

Officers and in line with the NPPF guidance and Natural England and it was considered to comply with their own standing advice. From a planning policy perspective, Planning Officers were confident that the report was robust and sound and there was no evidence to contradict the findings of the report.

- In terms of hedgerows and references made to hedgerows being removed, Officers highlighted the landscape structure plan that was contained within the main report and it would become an approved plan. It would require any future development to accord with the basic principles and as could be seen on the western and northern boundaries of the site the existing hedgerows were to be retained and would not be removed. It was felt that this would be enough protection for the hedgerows to be retained.

- In terms of brown field sites, officers understood residents' concerns relating to loss of green field sites and green areas for housing development. Planning Officers would prefer to see brown sites developed first, unfortunately the NPPF did not distinguish between the two and put more emphasis on economic growth, providing new housing. It was quite clear if a local authority did not have a five year land supply for affordable housing then this would carry significant weight for the approval of such schemes as had been seen with the 550 houses on the southern end of Ingleby Barwick which had been allowed by the Secretary of State.

- The site did not have any planning policy designation as a recreation or open space, whilst it was appreciated it was being used this was generally being used through trespass. As part of the proposal the applicant was proposing to transfer a large area of land for public use, free for residents to use. To the south there was a site of open space which was due to come to the council and it was hoped that this would be linked to the area of open space which would be provided as part of the retirement village and deliver a large strategic area in-between Ingleby Barwick and Yarm for residents to use.

- The NPPF was quite clear that there needed to be a 5 year land supply for affordable homes and although there was 167 houses for sale in Ingleby Barwick this was insufficient grounds from a planning perspective to say there was no need for additional housing.

- In relation to the increase in the proposed number of houses on the site it was a Planning Policy Officer which looked at the status of the site and considered the needs and felt that at a conservative estimate 30 dwellings could be accommodated on the site. The applicant had then provided a layout which in principle looked to work however the number of houses would be considered at a reserved planning stage and the quantity could change. The merits of the scheme would be considered at the reserved matters stage, however the information which had been provided did suggest that you could get 65 houses on the site which would be a reasonable number to accommodate. The

scheme was considered to be a very low density scheme which worked out at about 16 dwellings per hectare.

- Where concerns had been raised in relation to the lack of facilities, this would lay outside of planning control and the planning system and therefore there was nothing planning officers could do in relation to additional needs for doctors or dentists.

- In relation to the offsite contribution, if Members were minded to redirect the contribution it would still have to be compliant and meet CIL tests.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Members asked if the ecological assessment which had been carried out by the developers approved person, was a desk based or field based assessment?

- The elevation of the piece of land which was to be handed over to Stockton Borough Council from the developer had been highlighted by a resident as having quite a slope and therefore how useful would this be to residents?

- Concerns were raised in relation to the contributions which were to be made. There was no mention of additional school places, local transport infrastructure, all the things which normally came with a development and although this was a relatively small development it had a combined effect with other developments in the area.

- The access onto the site required consideration as there was a thin finger of land which could be seen within the main report to the left which looked like an 'L', and clarity was sought as to what sort of problems officers may envisage in relation to access as it was understood to be a long road with hedges on either side.

- The Committee over the years had a strong feeling of protection over the Tees Heritage Park however it seemed that the Tees Heritage Park was being nibbled away at the edges constantly. Members felt that the Tees Heritage Park should be continued to be protected.

- Some Members felt that their hands were tied due to previous applications which had been refused by the Committee and then allowed by the Planning Inspectorate at appeal.

- There weren't enough secondary school places within Ingleby Barwick.

- In relation to transport the transport statement stated that there would be an

additional 47 trips during morning peak time and 49 trips during evening peak hour on Roundhill Avenue. Roundhill Avenue did not lead out of Ingleby Barwick it joined other roads within Ingleby Barwick. 25 additional trips had been added onto Blair Avenue at a meeting which was held on the 13th April 2016. Questions were raised in relation to the additional trips and the answer received was that the new dual carriageway would alleviate the current problems and would have a 10% contingency. Members asked how much that 10% contingency actually was in trips because if small numbers of trips were to be continued to be added then would the 10% be exceeded?

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- It was confirmed that in relation to infrastructure where footpaths and cycle paths were concerned, this would be picked up at reserved matters application.
- The Highway layout would be subject to a Section 38 agreement for the whole of the layout and a Section 278 with the highway authority agreement for the actual access to Roundhill Avenue. This had been looked at by officers with the view that a principle of access could be established. There was sufficient junction space with sufficient visibility for it to be acceptable in highway terms.
- Where concerns had been raised in relation to bus services, all services within Ingleby Barwick were commercially ran, were fairly local and ran approximately every 15 to 30 minutes. Officers were also aware that Arriva the local bus provider were to undertake a transport survey of existing residents which could impact on future services. Asking a developer to contribute to bus services on a development this size would not be acceptable.
- In relation to trip rates Officers explained that the trip rates were reasonably low when looking at a development of this size on its own merits. There were other roads within the vicinity which had many more properties than the proposed 65, and from a traffic point of view the impact on Roundhill Avenue had been looked at to make sure there wasn't a significant impact. On a wider scale any impact would be picked up in the Yarm and Ingleby Barwick traffic model. This particular application did not hit any of the critical junctions however officers explained that trip rates would be added in incrementally making sure all trip rates from smaller applications would be included and updated for future consideration.
- In relation to the ecology assessment, it was explained that the assessment had been carried out as a desk based assessment and also by a site visit and was in line with all relevant guidance from a planning point of view.
- It was confirmed that the land which was to be given to the Council by the developer did slope towards the River Tees and the part of the land to be

developed for housing was flatter. Officers did reiterate however that the land was privately owned and apart from the rights of way, if the public were veering away from the public rights of way they would be trespassing. A future design for the open space needed to be agreed which would be carried with the relevant officers within the council and would include appropriate access for all including those members of the public who were less mobile.

- Where issues were raised relating to the provision of school places, it was highlighted that there was the possibility to secure funds elsewhere to enable schools to extend however the corporate priority for this development was to provide affordable homes. This development due to size and onsite constraints was not viable in relation to having to provide the same S106 agreements as other developments.

- Officers explained where concerns had been raised relating to protecting the separation of the villages within Ingleby Barwick, the villages within Ingleby Barwick were not considered as separate settlements. Ingleby Barwick itself was considered a settlement and it was this which would be protected as an individual settlement not each individual village within Ingleby Barwick.

- At a high court hearing it was ruled that where green wedge was concerned, only the green fingers on the Local Plan could be considered as green wedge and the proposed development was not within the area of green fingers and therefore not considered green wedge. The same principal applied to the Tees Heritage Park and there were no grounds to say this development was within the Tees Heritage Park. The acquisition of the open space however would hopefully mean there would be no further development of the western side of the proposed site and residents of Ingleby Barwick would be able to enjoy the open space in perpetuity.

A vote took place and the application was approved.

RESOLVED that planning application 15/2531/OUT be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below;

Approved Plans;

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

Plan Reference Number	Date on Plan
14005/L01 B	13 October 2015
740/LA2A	11 January 2016

Time limit for submission of the reserved matters;

02 Application for approval of the reserved matters shall be made to the local

planning authority not later than three years from the date of this permission.

Time limit for commencement;

03 The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

Reserved matters;

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

Dwelling numbers;

05 The total number of dwellings authorised by this permission shall not exceed 65

Conformity with the submitted masterplan

06 The details of the reserved matters shall broadly follow the principles and parameters set out in the site landscape structure plan (drawing 740/LA2A submitted with the planning application).

Entrance to Tees Heritage Park

07 Notwithstanding the submitted information, no development shall commence until a detailed scheme for pedestrian entrance to the Tees Heritage Park has been submitted and agreed in writing with the Local Planning Authority. Such a scheme shall allow for a suitable pedestrian route and appropriate connections to the existing route; route signage; entrance features; and, a specific timetable (including any phasing) for the agreed works. The agreed scheme shall be implemented in full accordance with those agreed details.

Buffer landscaping;

08 Notwithstanding the submitted information, no development shall commence until a detailed scheme for mounding, landscaping and tree/shrub planting to form buffer planting on the western boundary shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall specify stock types, stock sizes and species, planting densities; inter relationship of planting, layout contouring, drainage and surfacing of all open space areas. The works shall be carried out prior to the commencement of the development and any trees or plants which within a period of five years from the date of planting die, are removed, become seriously damaged or diseased shall be replaced in the next planting season with others of a similar prior attained size and species unless the Local Planning Authority gives written consent to any variation.

Ecological mitigation

09 All ecological mitigation measures shall be carried out in accordance with the submitted ecological appraisal for land to the southeast of white house farm prepared by Naturally Wild (December 2014) and shall be implemented in full in accordance with the advice and recommendations contained within the document.

Method Statement for Invasive species

10 No development shall commence until a detailed method statement for removing or the long-term management / control of Giant Hogweed has been submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Giant Hogweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development of the relevant phase shall be carried out only in accordance with the approved method statement.

Tree Assessment;

11 Notwithstanding the submitted information, all trees on site and within 10m of its external boundary shall be indicated on the Site Survey Plan. These trees shall be assessed in accordance with BS5837:2005 Trees in Relation to Construction. The assessment should include for the following information:

- a) A plan to scale and level of accuracy appropriate to the proposal showing the position of every tree on and adjacent to the site with a stem diameter over the bark measured at 1.5 metres above ground level at 75mm and all root protection areas.
- b) A tree schedule as detailed in Ref. 4.2.6 BS5837:2005;
- c) A schedule of all tree works specifying those to be removed, pruning and other remedial or preventative work.
- d) Details of any ground level changes or excavations within 5 metres of the Root Protection Area (Para 5.2.2. of BS5837) of any tree to be retained including those on adjacent land.
- e) A statement setting out long term future of the trees in terms of aesthetic quality and including post development pressure.
- f) Details of any statutory of domestic services shall be designed in accordance with Volume 4: NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) Operatives Handbook 19th November 2007

Scheme for the protection of trees

12 No development shall commence until a scheme for the protection of trees (Section 7, BS 5837:2005) has been submitted to and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local

Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

Drainage

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

Construction Management Plan;

14 No development shall take place until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority relevant to that element of the development hereby approved. The approved CMS shall be adhered to throughout the construction period relating to that element of the development and shall provide details of the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities to public viewing, where appropriate; wheel washing facilities; measures to control and monitor the omission of dust and dirt during construction; a Site Waste Management Plan; details of the routing of associated HGVs; measures to protect existing footpaths and verges; and a means of communication with local residents.

Construction activity;

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

Unexpected land contamination

16 If during the course of development of any particular phase of the development, contamination not previously identified is found to be present, then no further development on that phase shall be carried out until the developer has submitted to, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be carried out as approved.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning

application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions

HEADS OF TERMS

Transfer of Land for open space purposes

Commuted Lump sum of £120,000 for open space purposes/maintenance

Commuted Lump sum of £180,000 towards off site affordable housing

P 16/0189/COU
21/16 89 Lanehouse Road, Thornaby, Stockton-on-Tees
Change of use from Hairdressing Salon (A1 Use Class) to Hot food
takeaway (A5 Use Class).

Consideration was given to a report on planning application 16/0189/COU 89 Lanehouse Road, Thornaby, Stockton-On-Tees.

The application site was 89 Lanehouse Road an (A1) retail unit positioned within a row of commercial units in Thornaby. The site currently operated as a hairdressers. The application site was located outside of the defined town centre, district or neighbourhood centres set out in the Stockton on Tees Local Plan. Residential properties were located opposite the site along Thornaby Road with further residential properties sited to the rear along Stranton Street and Oxford Road. Commercial units were positioned on either side of the site with a vacant unit 91 Lanehouse Road to the east and 87 Lanehouse Road an A5 Pizza Shop to the west. Rear access to the unit was from Stranton Street via an alleyway running through the rear extension of 93 Lanehouse Road.

The application sought permission for the change of use of the retail unit (A1) to a Hot Food Takeaway unit (A5). The hours of operation proposed were 18:00 to 23:50 Monday to Sunday (every day). The proposal would employ two full time employees.

A total of three objections had been received in response to the proposed development. These objections principally related to concerns including the following matters; noise and disturbance, litter, increased traffic and associated noise, parking, need for the facility, waste provision, vermin, drainage and issues around anti-social behaviour.

The site was located outside of the designated town centre, district centre and neighbourhood centres but was positioned within an existing row of commercial units in a sustainable location. The core principles of the National Planning Policy Framework (NPPF) was to proactively drive and support sustainable economic development whilst also ensuring a high standard of amenity for existing and future occupants. In view of the material planning considerations

and the level of commercial activity which was already present within the surrounding area, the proposed change of use was not considered to have an unacceptable adverse impact on residential amenity. The sustainable location of the premises and the existing parking restrictions meant the proposal was not considered to have any significant highway safety implications. Therefore, the proposal was considered to accord with the principles of the NPPF and the Development Plan in all regards.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was 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 required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should 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 planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that the proposed development was considered to be acceptable in all other regards and consequently the application was recommended for approval subject to those conditions detailed within the main report.

Members were presented with an update report which since the original report the Local Planning Authority had received a further objection comment to the application from Luke Frost of 37 Diamond Road, Thornaby which in summary objected on the grounds of the health implications with 9 hot food takeaways in Thornaby with additional hot food takeaways at Teesside Park, anti-social behaviour along Lanehouse Road with Stockton Borough Councils anti-social behaviour team present at the meetings and parking issues.

The number of hot food takeaways and the parking issues within the immediate vicinity of the site had been considered and assessed as part of the initial officer's report. In terms of the anti-social behaviour issues Cleveland Police were consulted on the application and commented that there was no link to the proposed use and anti-social behaviour and that should the application be approved then CCTV should be installed both externally and internally. The use of CCTV was a matter for licensing and not something which could be controlled through planning.

It was considered that the details within the update report did not alter the recommendation made within the main report.

Objectors were in attendance at the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Concerns were raised relating to the rise of obesity in Stockton which was one of the biggest threats to the health of the population. The prevalence of obesity in the area was significantly higher than that of the national average for both adults and children. In Stockton On Tees alone the NHS costs of principal diseases relating to obesity were estimated to be £71.8 million. Stockton Borough was described by the Department of Health as showing evidence suggesting a conveyor belt effect in which excess weight in childhood obesity continued into adulthood. Allowing more hot food outlets in Thornaby, a town with 15 takeaways excluding the fast food outlets within Thornaby Town Centre and those on Teesside Retail Park would do nothing to stop this conveyor belt effect. The area was already struggling with various health issues and this would have long lasting consequences for future generations.
- The occupier of 87 Lanehouse Road, Thornaby explained to Members that 10 to 12 years ago he had applied to extend into 85 Lanehouse Road and his application was refused due to refuse collection, traffic management etc. It was not understood why this application was being considered.
- Just recently there had been a number of takeaways opened within the Thornaby area one of which was situated at the top of Lanehouse Road. How many more takeaways did Thornaby need?
- The Occupier of 87 Lanehouse Road conveyed a message from the fish and chip shop owner located at the same parade of shops as the proposed application. The owner of the fish and chip shop stated that he would never grant access for refuse collection of the proposed takeaway as he owned the land. The other takeaways on the same parade had their own keys to gain access.
- There were ongoing issues relating to environmental health which the council were already aware of.

- The café owner of 85 Lanehouse Road raised concerns in relation to the opening hours. She stated that she did not have a hot food licence and her main concern was the disposal of waste. If the application was approved and the opening hours were agreed where would all the refuse go? The cafe owner had a 5 star food rating and did not want this to be jeopardised.

- The café owner was also a resident of the area and highlighted that there was a high level of anti-social behaviour. She informed the Committee that she herself had had to contact the police within the last 6 months in relation to this. The police had indicated that additional CCTV would be installed as the current CCTV did not capture the parade of shops.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- Where concerns had been raised in relation to refuse collection the route was a concern. The council could not force the land owner to permit access for the collection of refuse however the owner of the unit would have to have a suitable system in place to avoid refuse accumulation.

- Condition 6 within the main report stated that a waste provision scheme would need to be implemented in full prior to commencement of the takeaway by the applicant.

- Issues relating to health and obesity were appreciated by officers however this was not a planning consideration.

- In terms of the neighbouring unit and the planning application submitted 10 to 12 years ago, each planning application was considered on its own merits and it would have been considered under the planning guidance at that time.

- There was no evidence or grounds to refuse the application on the basis of anti-social behaviour / disorder reasons.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Members did have concerns relating to the access to allow for the collection of waste. If the application was approved today and the applicant could not satisfy condition 6 of the report then the applicant would not be able to operate.

- Members asked if there was any national guidance in relation to the number of takeaways within the proximity of local schools?

- What was once a nice parade of shops in a residential area was slowly being

taken over by takeaways.

- There were issues in relation to parking as cars were being parked on the pavement. Residents at the bus stop were having to walk into the road to get onto the bus.
- There were two funded CCTV cameras in the area due to anti-social behaviour. The Police, PCSO's and The Anti-Social Behaviour Team were often in the area due to anti-social behaviour.
- Members sought clarity as to whether the fish and chip shop owner could refuse access for refuse collection.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- . Officers confirmed that the owner of the fish and chip shop would be able to refuse access for refuse collection as long as there were no rights of access.
- Where questions had been raised relating to national guidance and the close proximity of takeaways to schools, Officers confirmed that there wasn't any available from a planning perspective.
- Where issues had been raised regarding traffic issues, it was confirmed that the highways officers were not in support of the application and there were issues surrounding traffic management in and around the application site.

A vote then took place and the application was refused.

RESOLVED that in the opinion of the Local Planning Authority, planning application 16/0189/COU 89 Lanehouse Road, Thornaby, Stockton-On-Tees proposed use would be likely to attract additional vehicles to the premises with no associated car parking in an area of high levels of on-street parking. This would result in vehicles parking on the carriageway and across footways which would increase hazards to pedestrians and other highway users and prejudice the free flow of traffic.

P 15/3073/COU
22/16 91 Lanehouse Road, Thornaby, Stockton-on-Tees
Change of use from A1 use class (Retail) to A5 use class (Hot food takeaway).

Expiry Date 29 May 2016

Consideration was given to a report on planning application 15/3073/COU 91 Lanehouse Road, Thornaby, Stockton-On-Tees.

The application site was 91 Lanehouse Road a vacant (A1) retail unit positioned within a row of commercial units in Thornaby. The application site was located outside of the defined town centre, district or neighbourhood centres set out in the Stockton on Tees Local Plan.

The frontage of the unit faced towards Thornaby Road with residential properties sited across Thornaby Road at 34 and 36 Thornaby Road. On either side of the unit were commercial units with 93 Lanehouse Road a Fish and Chip shop (A5) located to the east and a hairdressers (A1) unit located to the west at 89 Lanehouse Road. Access to the rear of the unit was via an alleyway accessed from Stranton Street and through an extension to the rear of 93 Lanehouse Road which provided access to 85,87,89 and 91 Lanehouse Road.

The application sought permission for the change of use of the retail unit (A1) to a Sharwama Hot Food Takeaway unit (A5). The hours of operation proposed were 10:00 to 23:00 Monday to Sunday (every day). The proposal would employ five part time employees. The previous florist shop ceased trading in August 2015.

A total of nine objections had been received in response to the proposed development. The objections principally related to concerns including the following matters; noise and disturbance, litter, increased traffic and associated noise, parking, need for the facility, waste provision, drainage and issues around anti-social behaviour.

The site was located outside of the designated town centre, district centre and neighbourhood centres but was positioned within a existing row of commercial units in a sustainable location. The core principles of the National Planning Policy Framework (NPPF) sought to proactively drive and support sustainable economic development whilst ensuring a high standard of amenity for existing and future occupants. In view of the material planning considerations and the level of commercial activity which was already present within the surrounding area, the proposed change of use was not considered to have an unacceptable adverse impact on residential amenity. The sustainable location of the premises and the existing parking restrictions meant the proposal was not considered to have any significant highway safety implications. Therefore, the proposal was considered to accord with the principles of the NPPF and the Development Plan in all regards.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the

main report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was 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 required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should 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 planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The planning Officers report concluded that the proposed development was considered to be acceptable in all other regards and consequently the application was recommended for approval subject to those conditions within the report.

Members were presented with an update report which since the original report the Local Planning Authority had received a further objection comment to the application from Luke Frost of 37 Diamond Road, Thornaby which in summary objected on the grounds of the health implications with 9 hot food takeaways in Thornaby with additional hot food takeaways at Teesside Park, anti-social behaviour along Lanehouse Road with Stockton Borough Councils anti-social behaviour team being present at the meetings and parking issues.

The number of hot food takeaways and the parking issues within the immediate vicinity of the site had been considered and assessed as part of the initial officer's report. In terms of the anti-social behaviour issues Cleveland Police were consulted on the application and commented that there was no link to the proposed use and anti-social behaviour and that should the application be approved then CCTV should be installed both externally and internally. The use of CCTV was a matter for licensing and not something which could be controlled through planning.

It was considered that the details within the update report did not alter the recommendation made within the main report.

Objectors were in attendance at the meeting and given the opportunity to make representation. Their comments could be summarised as follows:

- Concerns were raised relating to the rise of obesity in Stockton which was one of the biggest threats to the health of the population. The prevalence of obesity in the area was significantly higher than that of the national average for both adults and children. In Stockton On Tees alone the NHS costs of principal diseases relating to obesity were estimated to be £71.8 million. Stockton Borough was described by the Department of Health as showing evidence suggesting a conveyor belt effect in which excess weight in childhood obesity continued into adulthood. Allowing more hot food outlets in Thornaby, a town with 15 takeaways excluding the fast food outlets within Thornaby Town Centre and those on Teesside Retail Park would do nothing to stop this conveyor belt effect. The area was already struggling with various health issues and this would have long lasting consequences for future generations.
- The occupier of 87 Lanehouse Road, Thornaby explained to Members that 10 to 12 years ago he had applied to extend into 85 Lanehouse Road and his application was refused due to refuse collection, traffic management etc. It was not understood why this application was being considered.
- Just recently there had been a number of takeaways opened within the Thornaby area one of which was situated at the top of Lanehouse Road. How many more takeaways did Thornaby need?
- The Occupier of 87 Lanehouse Road conveyed a message from the fish and chip shop owner located at the same parade of shops as the proposed application. The owner of the fish and chip shop stated that he would never grant access for refuse collection of the proposed takeaway as he owned the land. The other takeaways on the same parade had their own keys to gain access.
- There were ongoing issues relating to environmental health which the council were already aware of.
- The café owner of 85 Lanehouse Road raised concerns in relation to the opening hours. She stated that she did not have a hot food licence and her main concern was the disposal of waste. If the application was approved and the opening hours were agreed where would all the refuse go? The cafe owner had a 5 star food rating and did not want this to be jeopardised.
- The café owner was also a resident of the area and highlighted that there was a high level of anti-social behaviour. She informed the Committee that she herself had had to contact the police within the last 6 months in relation to this. The police had indicated that additional CCTV would be installed as the current CCTV did not capture the parade of shops.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- Where concerns had been raised in relation to refuse collection the route was a concern. The council could not force the land owner to permit access for the collection of refuse however the owner of the unit would have to have a suitable system in place to avoid refuse accumulation.
- Condition 6 within the main report stated that a waste provision scheme would need to be implemented in full prior to commencement of the takeaway by the applicant.
- Issues relating to health and obesity were appreciated by officers however this was not a planning consideration.
- In terms of the neighbouring unit and the planning application submitted 10 to 12 years ago, each planning application was considered on its own merits and it would have been considered under the planning guidance at that time.
- There was no evidence or grounds to refuse the application on the basis of anti-social behaviour / disorder reasons.

Members were given the opportunity to ask questions/make comments on the application and these could be summarised as follows:

- Members did have concerns relating to the access to allow for the collection of waste. If the application was approved today and the applicant could not satisfy condition 6 of the report then the applicant would not be able to operate.
- Members asked if there was any national guidance in relation to the number of takeaways within the proximity of local schools?
- What was once a nice parade of shops in a residential area was slowly being taken over by takeaways.
- There were issues in relation to parking as cars were being parked on the pavement. Residents at the bus stop were having to walk into the road to get onto the bus.
- There were two funded CCTV cameras in the area due to anti-social behaviour. The Police, PCSO's and The Anti-Social Behaviour Team were often in the area due to anti-social behaviour.
- Members sought clarity as to whether the fish and chip shop owner could refuse access for refuse collection.

Officers addressed the Committee in response to some of the concerns/issues raised. Their comments could be summarised as follows:

- Officers confirmed that the owner of the fish and chip shop would be able to refuse access for refuse collection as long as there were no rights of access.
- Where questions had been raised relating to national guidance and the close proximity of takeaways to schools, Officers confirmed that there wasn't any available from a planning perspective.
- Where issues had been raised regarding traffic issues, it was confirmed that the highways officers were not in support of the application and there were issues surrounding traffic management in and around the application site.

A vote then took place and the application was refused.

RESOLVED that in the opinion of the Local Planning Authority, planning application 15/3073/COU 91 Lanehouse Road, Thornaby, Stockton-on-Tees the proposed use would be likely to attract additional vehicles to the premises with no associated car parking in an area of high levels of on-street parking. This would result in vehicles parking on the carriageway and across footways which would increase hazards to pedestrians and other highway users and prejudice the free flow of traffic.

P 16/0758/ADV
23/16 Nifco U K Limited, Yarm Road, Stockton-on-Tees
Advertisement consent for 2 no. illuminated fascia signs, 3 no. wall mounted illuminated hoarding signs and 1 no. illuminated pylon sign.

Consideration was given to a report on planning application 16/0758/ADV Nifco U K Limited, Yarm Road, Stockton-On-Tees.

The application site was the former Nifco factory which was situated off Yarm Road, the surrounding area contained a mix of uses which included commercial and residential premises. On the opposite side of the road was the former Visqueen site which was now well underway as a residential housing estate, with a number of properties fronting onto the site. To the immediate south of the site was an existing Abattoir and Council's own storage yard/depot with the A66 and the associated junction beyond.

The application came before members as a total of 13no. objections which had been received, however, the majority of those objections originally related to the free standing hoarding/billboard which had now been removed from the proposal. Additional comments received also raised concerns in relation to the

wall mounted signage boards.

Advertisement consent was therefore sought for 2no. illuminated fascia signs, 3no. wall mounted illuminated hoarding signs and 1 no. illuminated 'pylon' sign. The signage was predominately located on the approved foodstore with the exception of the pylon sign which was situated adjacent to the site entrance.

The proposed signage would be predominately situated on the approved building with a separate free standing sign situated adjacent to the site entrance. The signage was considered visually acceptable and was not considered to have a harmful impact on the amenity of the surrounding area or highway safety. As a consequence the proposal was in accordance with guidance within the NPPF and the Council's adopted Shop front and advertisements SPD.

The consultees that had been notified and the comments that had been received were detailed within the main report.

Neighbours were notified and the comments received were detailed within the main report.

With regard to planning policy where an adopted or approved development plan contained relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 required that an application for planning permissions should be determined in accordance with the Development Plan(s) for the area, unless material considerations indicated otherwise. In this case the relevant Development Plan was 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 required the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended required in dealing with such an application [planning application] the authority should 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 planning policies that were considered to be relevant to the consideration of the application were contained within the main report.

The Planning Officers report concluded that in view of the information contained within the main report, the proposed signage was not considered to have a harmful impact on the amenity of the surrounding area or highway safety, as a consequence the proposal was in accordance with guidance within the NPPF and the Council's adopted Shop front and advertisements SPD and was recommended for approval subject to those conditions within the main

report.

The Applicants representative was in attendance at the meeting and given the opportunity to make representation. His comments could be summarised as follows:

- The proposal was in accordance with the guidance contained within the NPPF and the councils adopted SPD.

- There were no objections from the Highways Transport and Environment Manager, although it was noted that there were objections raised by local residents which the majority related to the free standing billboards. After listening to concerns raised the applicant had removed the free standing billboards from the south east corner of the site.

- The signage was in keeping with the character of the local area and would be proportionate to the scale and size of the proposed food store.

- It was also not considered to have any harmful effect on the amenity of the surrounding area or highway safety as confirmed by council officers.

- It was requested that Members' approve the application.

A vote then took place and the application was approved.

RESOLVED that advertisement consent 16/0758/ADV be Approved subject to the following conditions and informative;

Approved plans;

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

Plan Reference Number	Date on Plan
A(90)GAP003 Rev 18	18 March 2016
A(99)GAP001 Rev 2	18 March 2016
A(00)GAV005 T1	18 March 2016
A(99)GAP002 REV 3	5 May 2016

Control of hours of luminance;

02 Notwithstanding any details submitted as part of the application, the hereby approved signage shall not be illuminated outside of the hours of 08:00 to 22:00 hours Monday to Saturday and 10:00 to 16:00 on Sundays and Bank Holidays.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

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

P PLANNING PERFORMANCE

24/16

The purpose of this report was to update members on the current performance of Planning Development Services for the two final quarters and year of 2015/2016.

In February 2016 the Planning Committee decided that the future reporting of performance to committee would be on a six monthly basis. The performance level for this year remained at 75% for majors, 80% for minors, 88% for other applications and 75% for County matters.

The reporting timeframe runs from 1st April-31st March each year. The report presented the performance of the last quarters in that period, 1st October 2015 to 31st March 2016.

Current performance position was that performance results achieved for the last two quarters were 91.67% and 92.86% for major applications, 89.96% and 94.44% for minor, 93.55% and 96.53% for others and there were no County matters applications dealt with in that time frame. The results for the last two quarters and the year were as shown in the tables contained within the main report

RESOLVED that planning committee note this six monthly report.

DELEGATED

AGENDA NO

PLANNING COMMITTEE

27 JULY 2016

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

15/1643/OUT

**Land South Of Kirklevington, Thirsk Road, Kirklevington
Outline application for the construction of up to 145 dwellings and associated community
and sport facilities (all matters reserved)**

This application was placed before committee on the 6th July 2016. Prior to the item being heard, a request was made for the item to be deferred until the committee members had been given the opportunity to fully understand the highway implications of the scheme. The application is therefore being placed before committee on the 27th July 2016.

This report must be read in conjunction with the main report and update report from planning committee on the 6th July 2016 (Shown at appendices 1, 2 & 3). In addition, comments have been made following the previous committee which are detailed below;

A local historian has raised concerns over the archaeology references within the submission as well as the possible position of a mansion house on the site and former uses of the site. These comments have been shared with Tees Archaeology who have advised that, in relation to a mansion house in Kirklevington, whilst this is of interest, there is no evidence to suggest the site of the mansion house is within the development area, in addition to which, a condition is already recommended to archaeologically record both the known remains of a post-medieval brick industry and any previously unrecorded archaeological remains exposed during topsoil stripping. Tees Archaeology are therefore satisfied that dealing with Archaeology by way of condition remains to be an approach proportionate to the evidence and findings.

A number of concerns and objections have been raised about the impacts on wildlife using the site, highlighting in particular the presence of Great Crested Newts, Bats and certain bird species. The submitted ecological statements advise due consideration has taken place and a condition is recommended to provide mitigation for protected species and to make biodiversity enhancements within the site. With regards to certain birds using the site, which is mainly pasture, consideration is given that this land is not a protected landscape or protected for its habitat as some local wildlife sites can be where habitat is considered to be of specific importance. The site is also in agricultural use and any extent of agricultural operations could take place within the site including its use for arable without the need for planning approval. It is not possible therefore from a planning perspective, to control the condition and value of the land within the site relative to specific species. In the instance that the site is developed, then the birds would move on to the next available pasture land suited to them and in view of these matters, it is considered the sites re-development would not have any significant detrimental impacts on wildlife.

On the 6th July the council received correspondence from the National Casework Planning Unit who advise on behalf of the Secretary of State. They have received a third party request to 'call-in' the application for the determination of the Secretary of State. The Local Authority has formally agreed to not issue a decision on the application if the committee is minded to approve the application in order to enable the Secretary of State to consider the proposal.

Recommendation

That committee be minded to approve the application subject to conditions and informatives as detailed within the main report and update report and subject to a S106 Agreement as detailed within the Heads of Terms within the main report or such other terms as may be deemed necessary by the Director of Economic Growth and Development Service, and that the application be approved under the same terms should the Secretary of State not call the application in. In the instance that the Section 106 is not signed within 6 months from the date of permission being granted, then the application be refused due to lack of the provision for affordable housing, education and other important infrastructure identified in the report.

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

6 JULY 2016

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

15/1643/OUT

Land South Of Kirklevington, Thirsk Road, Kirklevington

Outline application for the construction of up to 145 dwellings and associated community and sport facilities (all matters reserved except for access)

Expiry Date: 7th July 2016

SUMMARY

Outline planning permission is sought for a residential development of up to 145 houses with all matters of Access, Layout, Appearance, Scale and Landscaping reserved which would be considered under separate application/s were outline permission to be granted. Being outline only, permission is only being sought for the principle of the development although it is expected for reasonable demonstration that what permission is being sought for can reasonably be achieved.

The site is on the southern side of Kirklevington and an indicative layout has been provided which reasonably demonstrates 145 houses can be accommodated on the site along with internal roads, green infrastructure corridors, open space and community facilities including shop, Multi Use Games Area and car park. The village is currently viewed as being an unsustainable location for new development and the applicant has sought to provide sufficient services to address this matter, which includes provision for funding a regular 7 day a week bus service for a 5 year period.

Objections have been received against the application, the main ones suggesting new development is not required in the village, that adequate access cannot be achieved safely, that there is already too much congestion in the area, that the existing drainage system cannot cope with additional demand and that the services proposed are not needed or wanted.

National planning Policy accepts the approach to supporting development in areas where it can be made to be a sustainable location and in view of the provision proposed by this application, it is considered that the development would represent sustainable development and would as a result; improve the sustainability credentials of the village for existing residents.

The Highways, Transport and Environment Team have confirmed that the additional traffic can be accommodated on the local highway network subject to works being undertaken to the Crathorne Junction and these would be provided by the developer. It has also been confirmed that adequate safe access into the site can be achieved although detailed design would form part of reserved matters applications.

The indicative layout shows generous spacing of development from existing properties and a wide open area in front of the nearby Listed church which demonstrates there would be no undue impacts on residential amenity and the setting of the adjacent church. The indicative plan shows strategic green corridors to the west and south of the site which will break up views of the development from the wider area.

Surface water is indicatively shown as going into the local watercourse which would be attenuated to an appropriate discharge rate and foul water would go to the existing Sewage Treatment Works.

RECOMMENDATION

That planning application 15/1643/OUT be approved subject to the following conditions and informatives and heads of terms “or such other terms as may be deemed necessary by the Director of Economic Growth and Development Service. In the instance that the Section 106 is not signed within 6 months from the date of permission, then the application be refused due to lack of the provision for affordable housing, Education and other important infrastructure identified in the report.

Approved Plans

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

Plan Reference Number Date on Plan

2001-01 3rd July 2015

Reason: To define the consent.

02 ***Reserved Matters - Details***

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

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

03 ***Period for Commencement***

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

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

4 ***Reserved Matters - Time Period for submission***

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

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

05 ***Phase II (intrusive) site investigation***

No development hereby approved shall be commenced on site until a Phase II site investigation and associated remedial works has been undertaken in accordance with a scheme of such which has first been submitted to and agreed in writing by the Local Planning Authority and the agreed scheme has been implemented in full. The scheme shall include but not be restricted to detailing the following components;

- A preliminary risk assessment identifying previous uses, potential contaminants, conceptual model indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

- A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and detailed risk assessment and, based on these, an options appraisal and remediation strategy.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: In order to address the requirements of the National Planning Policy Framework National Planning Policy Framework paragraphs 109 and 121.

Archaeology

- 06 Recording of a heritage asset through a programme of archaeological works
- A) No 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 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.

Reason: In order to address the requirements of Local and national planning policy in respect to heritage assets.

Levels

- 07 The development hereby approved shall be undertaken in accordance with a scheme of building levels and land levels which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the level of land and buildings throughout the site.

Reason: In the interests of visual amenity and in respect to flood risk, in accordance with the requirements of the National Planning Policy Framework.

10% Renewables or fabric first

- 08 Prior to the commencement of any of the development hereby approved and unless otherwise agreed in writing with the Local Planning Authority as being unfeasible or unviable, a written scheme shall be submitted to and approved in writing by the local planning authority which details how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or the use of specific building materials. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations or other such superseding guidance. Before the development is occupied the approved scheme of

reduction shall have been implemented on site and brought into use where appropriate. The approved scheme shall be maintained in perpetuity thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of promoting sustainable development in accordance with the requirements of Stockton on Tees Core Strategy Policy CS3(5) Sustainable living and climate change.

Materials – prior to above ground construction

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

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with Policy CS3(8) of the Core Strategy Development Plan.

Retail premises use restriction and restriction of opening and servicing hours

- 10 The retail premises forming part of this application shall largely be used for food retailing with ancillary retailing of other products not amounting to more than 10% of floor area.

The retail premises forming part of this application shall not be open for business outside the hours of 7am to 8pm Monday to Saturday and 8am to 4pm Sundays.

The retail premises forming part of this application shall only be serviced and take deliveries between the hours of 7am to 7pm Monday to Saturday and at no times on Sundays.

Reason: In order to justify itself as serving the locality and reflect a local provision and prevent undue impacts on the amenity of surrounding residents in accordance with the requirements of the National Planning Policy Framework.

Protection from noise disturbance from adjacent road

- 11 Prior to the commencement of development, a noise survey including design of mitigation as required, shall have been submitted to and approved, in writing, by the Local Planning Authority in order to achieve the figures detailed below. The survey shall have been undertaken by a competent person, shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours:

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

The scheme shall be built out in accordance with the mitigation detailed within the scheme.

Reason:

To ensure that the development hereby permitted is not detrimental to the amenity of the future residents by reason of undue external noise.

Construction working Hours

- 12 No construction/building works or deliveries associated with the construction phase of the development shall be carried out except between the hours of 8.00am and 6.00pm on

Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

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

Surface Water Management Plan

- 13 *No development hereby approved shall be commenced on site until a surface water management plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail the drainage layout, discharge rates, long term maintenance arrangements, blue /green corridors and flood flow paths for the 100 year storm event, plus an allowance for climate change.*

The development shall be undertaken in accordance with the approved Surface Water Management Plan.

Reason: In order to prevent the risk to flooding as required by Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

Ground Water Contamination (prevention)

- 14 *No development hereby approved shall be undertaken on site until an assessment of impacts on ground water has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with any details relied upon for undertaking the assessment such as materials, depths of construction, construction techniques etc.*

Reason: In order to prevent contamination of controlled waters in view of the site being above an aquifer in accordance with the requirements of the National Planning Policy Framework.

Tree and hedgerow protection

- 15 *Unless required in relation to site investigation works relative to this approved scheme and having first been agreed in writing by the Local Planning Authority, no trees or hedgerows shall be removed from the site until the reserved matters for landscaping has been approved in writing by the Local Planning Authority.*

Reason: In order to protect landscaping within the site until a point where the overall layout and contribution of existing landscaping is understood.

Ecology and Biodiversity mitigation

- 16 *The development hereby approved shall only be undertaken on site in accordance with a scheme of 'Ecology and Biodiversity Mitigation' which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to making provisions for wildlife and biodiversity throughout the scheme, undertaking pre start badger surveys, highlighting wildlife corridors within the site and the timing of works affecting existing landscape features on site including trees, hedges and ditches.*

Reason: In order to adequately take into account ecology and biodiversity in accordance with the principles of Core Strategy Development Plan Policy CS10 and the National Planning Policy Framework.

Construction Management Plan

- 17 *The construction phase of the development shall be operated in strict accordance with a Construction Management Plan which has first been submitted to and approved in writing*

by the Local Planning Authority. The scheme shall include but not be restricted to detailing how dust emissions and wheel wash facilities will be provided and movement of site vehicles.

Reason: In order to prevent impacts on the surrounding area.

Travel plan

- 18 *Prior to any occupation of the development a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall establish measures, mechanisms, timescales, clear targets and procedures for monitoring and review of such targets. The plan shall be implemented as approved.*

Reason: In the interests of promoting sustainable travel and highway safety in accordance with the general principles of Core Strategy Development Plan Policy CS2 and the National Planning Policy Framework.

No open burning during construction phase

- 18 *During the construction phase of the development there shall be no open burning of waste on the site except in a properly constructed appliance of a type and design previously approved by the Local Planning Authority..*

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

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working practice

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

Informative 2: Contact with Northern Gas Networks

Northern Gas Networks have advised there may be gas apparatus in the area and advised the developer to make early contact with them to adequately take into account any services / apparatus.

HEADS OF TERMS

Affordable Housing

The provision of a minimum of 15% affordable housing to be provided on site. Of that 15 %for the approximate proportions to be achieved.

Size Tenure

66% Units 2 bed, 93% of which is Rented and 7% of which is Intermediate Tenure

33% Units 3 bed, 86% of which is Rented and 14% of which is Intermediate Tenure

Education

Contribution for both primary & secondary school pupils based on the council's standard formula, to be calculated at commencement and reduced to take account of any contribution of land to extend the curtilage of Kirklevington Primary School should such a scheme be deemed suitable by the Director of Economic Growth and Development Services. Payment requirement prior to the occupation of the 50th dwelling.

Open space / recreation

On site Provision in accordance with details to be agreed with the LPA through the submission of Reserved Matters Applications and to include but not be restricted to;

- Provision of 'Village green'
- Recreational facilities for older children incorporating play facilities for 11+ and including a Multi-Use Games Area.
- Linear park including 'green' play facilities to be aimed at younger children.
- Recreation route provision;

Requirement for long term maintenance of all of these (in perpetuity);

Trigger: Agreement prior to commencement, completion of agreed works prior to the occupation of the 80th dwelling.

Retail Premises

On site provision of a retail premises of between 100 and 250 square metres gross floor area. Serviced building provided prior to the occupation of 100th Dwelling.

Bus service

5 year supported service

No dwellings shall be occupied on the site until a scheme for the provision of a Monday to Saturday hourly daytime bus service and a Sunday daytime Service serving Kirklevington Village running between Kirklevington and Yarm, Thornaby and Stockton has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be brought into operation as approved prior to the occupation of the 60th dwelling on the site and be maintained for a period of 5 years from the date when the bus service commences.

Communal Car Park

Provision of a minimum of 25 parking spaces and associated landscaping and signage prior to the occupation of the 35th dwelling. Construction details and final design to be agreed with the Local Planning Authority through the submission of Reserved matters Applications.

Offsite Highway Works

Such obligations as are necessary to bring about improvements to the A19/A67 Crathorne Interchange.

BACKGROUND

1. There is no planning related history for this site which is and has been active farm land, with no known former uses in recent history.

2. SITE AND SURROUNDINGS

3. The application site lies to the south of Kirklevington village. The site is a linear in an east / west direction and abuts existing housing forming the southern edge of the village as well as being adjacent to the primary school and on the opposing side of the road to Kirklevington Church which itself stands on an area of high ground at the south east corner of the village.
4. The site is characterised as relatively open agricultural fields with some hedgerow boundaries surrounding and within the site. The site is relatively flat although depressions and undulations do exist within it.

5. PROPOSAL

6. Outline planning permission is sought for the principle of a residential development of up to 145 dwellings and associated community and sports facilities. Details of the access were being sought for approval with all other matters of Scale, Appearance, Layout and Landscaping being reserved for later submissions. However, access has now also been made a reserved matter which means this application is for outline permission with all matters reserved.

7. The indicative layout shows the development taking place with the residential development to the western and central part of the site, having northern and southern landscaping belts and with community facilities being located at the eastern side of the site. Community facilities are detailed on the indicative plan as being a village green / open green space, multi use games area, shop, car park and drop off area. The existing public footpath link to the fields to the south of the site is indicated as being retained.

CONSULTATIONS

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

Kirklevington and Castle Leavington Parish Council

Object to the application

Location of development - Green Field site. Outside Limits of Development and Village Envelope. The site was not identified for development in the Core Strategy, Core Strategy Review or Planning for future of Rural Villages 2014. (NPPF Para 17 supports plan led development). The above documents evidence that number of studies on Kirklevington Village have continuously endorsed the Village Envelope. Within our Parish permission has already been granted for 700 houses an increase to the Parish of more than 100%. Tall Trees 330 (13/268/EIS) and Green Lane 370 (12/1990/EIS) - 700 houses. To date not one house has been built. We OBJECT to another developer led application rather than a planner led application. The effect on our community will be overwhelming. Giving rise to difficulty with social cohesion and with adjacent parishes. The proof that no houses have been built to date demonstrates that housing to the south of borough is NOT NEEDED. To grant permission for yet another development in Kirklevington will do nothing to help the BOROUGH'S 5 YEAR HOUSING NEEDS. The village has a mix of housing including a number to rent both large and small. At this present time a considerable number of houses remain unsold within the Parish, some for several years.

- sustainability - Kirklevington Village identified as Level 3(2) in the Planning Rural Development Document for Stockton on Tees dated December 2014 which states that the Village is "Without/limited ability to access employment/services". This has not changed (NPPF Para 32 Transport Assessment and travel patterns required, non-submitted) (NPPF (Para 37) states that planning policies should aim for balance of land use that people can minimise journey lengths for employment, shopping, leisure and other activities). Developers document on sustainability states that Healaugh Park for shopping is 1.9m from development, Yarm High Street (including post office, banks etc. is 3.2 km from development and the Doctors did not get detailed in the Developers submission (para 12 Developers sustainability document) whilst also stating in para 6.2 that Kirklevington also has a higher than average older age group. Their assessment of safe footpaths (A67) is severely flawed - see paragraph on SAFEGUARDING. The health and mobility of our elderly residents is extremely over estimated. There is no evidence that the proposed will make the village any more sustainable. History informs us that our only shop closed some years ago. The village has a heart already and does not need to be changed and the importance of inclusion remains an important issue. The proposed development is merely an annexe to the village.

Safeguarding -

The proposed new Village Green to be positioned next to the A67 has no vision from homes - Children will need to be supervised at all times.

Buffer area between development and existing community will also have the possibility of becoming a safeguarding issue and an area for anti-social behaviour.

Walking to the nearest secondary school already results in students having to walk along an unlit narrow footpath that borders the lay-by on A67 with a copse of trees and which has been the continued subject of Police investigation and SBC Enforcement patrols re inappropriate anti-social incidents. This has resulted in parents/grandparents/friends having to transport students to the secondary school. This lay-by also has a refreshment van which results in heavy goods vehicles, vans, cars and Lorries stopping for refreshments which are also a concern to parents.

- road network

Serious concerns with the A67 and access/egress from the new proposed road. Close proximity to existing access/egress from Pump Lane. (Time gap at 40 mph = 3 seconds)

Many vehicles having left the A19 do not decrease speed quickly as they approach the Village 40 mph speed zone resulting in vehicles rarely entering the 40 mph speed zone driving at the correct speed.

A previous planning application on Green Lane was not allowed to have access onto the A67 and had to alter plans and move the access onto Green Lane.

Pump Lane - Proposal for the one way system changing to two-way is immediately after the un-sited narrow bend. (Reference Traffic Report from Michael Kitching submitted).

CLOSURE OF A19 - Please note that frequently the A67 is used as an EMERGENCY route when the A19 is closed for various reasons (accidents, high winds over The Leven Bridge, Fly-Over Bridge, adverse weather conditions and other serious incidents). (Most recent closure 7th August, 2015). When this happens traffic is diverted along the A67 in both directions. Traffic comes to a standstill and exiting the village is almost impossible. It may only be for a few hours but it can last all day.

- DRAINAGE

SURFACE WATER - The method of dispersal re surface drainage and use of existing becks and drainage ditches is queried. The impact that any drainage of the fields adjacent to Pump Lane could have a considerable impact on the building and Grave Yard at THE CHURCH OF ST.MARTIN AND ST HILARY which is a GRADE 2* LISTED BUILDING and an important historical building within the parish. Concerns therefore exist regarding what effect such drainage will have on the water table beneath the Church. Such concerns are exacerbated by the fact that there are at least two springs in the immediate vicinity of the Church and also by the fact that the drainage plan from Jomast does not appear to have analysed or quantified any impact on the oldest historic building in Kirklevington Parish. WE THEREFORE REQUEST FULL ASSURANCE THAT AN INDEPENDENT AND TRANSPARENT SURVEY BE CARRIED OUT BY THE DEVELOPERS. (NPPF para 65 last sentence ".....unless the concern relates to a designated asset and the impact would cause material harm to the asset or its setting which is not outweighed either proposal's economic, social and environmental benefits).

Sewage

The present capacity of the Sewage Works on Ash Grove will need to be increased, necessitating the need for additional tanker movements which are already unacceptable to residents. A separate exit road for tankers should be requested.

The condition and the capacity of sewage pipes leading from St Martins Way to the Sewage Works on Ash Grove are queried. In the report from Billingham George presented by the developers as part of their application this is one of their recommendations. We request a full survey of both the pipes and sewage works in Kirklevington.

Environmental issues

We are greatly concerned re the disruption to the existing Wildlife Corridors, removal of hedges which promote habitat and the bio diversity of the site.

The effect of the surface run-off into the becks which eventually feed into the River Leven should be investigated. (See submission Dr Alistair McLee - KAG - Kirklevington Action Group).

Natural Springs and Ponds - Kirklevington has a network of springs and old ponds which have in the past been ignored by developers resulting in changes to the water table and some houses on

St Martins Way and The Green having to be demolished and the foundation pile driven before rebuilding.

- (Please note NPPF Para 14 highlighted) We believe that this application has serious adverse impacts and that those adverse impacts will significantly and demonstrably outweigh the benefits.

On driving along the A67, which is the gateway to the borough of Stockton on Tees, motorists are able to see the ancient church of ST. MARTIN AND ST. HILARY which is a GRADE II* LISTED BUILDING and can also be described as one of Stockton on Tees historical jewels. The Church sits to the side of and close to the proposed development site. ARE THE DEVELOPERS PUTTING Kirklevington is a community and the development that is proposed is completely separate to the village in its design and position. Its proposed appearance will do nothing to enhance and blend in with the area with its design. One road ONLY serving the site from the A67 which is not connected to the existing village. The only way to access the village will be to drive out onto the A67 and back in at the side of The Crown Hotel and into Forest Lane.

PROPOSED NEW VILLAGE GREEN - Is not the positioning of this village green on the plans next to the A67 a major SAFEGUARDING issue in relation to the young people who may be using it? Parents are unlikely to allow their children to use it without supervision.

SHOP/ SPORTS FACILITIES - Not sure that with these extra 145 properties that there is a need for these facilities. The village used to host a village shop but it was not viable. Not sure who would run the sports facilities profitably. The village already has a very large and MODERN VILLAGE HALL and a good PLAY AREA. DO WE NEED MORE OF THE SAME.

TRANSPORT - Kirklevington does not have a bus service. Up to March 2014 it was served by 2 buses but both were withdrawn. One of the buses was used by students at the local secondary school. Walking to the local secondary school is not an option, parents/grandparents and friends have to drive students to school and also students at the local colleges and universities to connect them to their onward journey. Students have to walk along the narrow unlit road that borders the lay-by at Springbank Corner on the A67 which is surrounded by bushes and trees. Heavy goods vehicles Vans, Lorries and cars are always in the lay-by stopping for the food van. The lay-by has been the subject several times of POLICE INVESTIGATION and is being regularly patrolled by SBC ENFORCEMENT TEAM re INAPPROPRIATE ANTI-SOCIAL BEHAVIOUR. THIS IS A SAFEGUARDING ISSUE - WOULD YOU LET YOUR YOUNGSTERS WALK PAST THIS LAY-BY?

LOCAL AMENITIES - As a result of the withdrawal of the bus services it is already difficult for many within the Parish to access local services. In the developers travel statement they felt that it was acceptable for residents of ALL AGES to walk to YARM TO THE DOCTORS, THE RAILWAY STATION , HEALAUGH PARK FOR SHOPPING AND CARRY THE SHOPPING BACK. With no bus service residents HAVE TO DRIVE OR BE DRIVEN to access SHOPS, DOCTORS, CHEMISTS, BANKS, POST OFFICE, CASH MACHINES ETC. THIS IS AN UNSUSTAINABLE VILLAGE.

PUMP LANE ONE WAY SYSTEM - It is proposed to change the existing one-way system along Pump Lane. The one way system was, many years ago, changed because of the danger to traffic driving in both directions. Many accidents occurring on the sharp corner which has no vision for vehicles using the road. The developers now propose to change the one way system and, once again, returning the road from the sharp corner to the exit onto the A67 into a two way system in order to host a link road from the proposed development. Motorists using the link road will only be able to travel onto Pump Lane and will not be able to access the village. Yet more vehicles exiting onto the A67 from Pump Lane.

Access/egress of the proposed development is very close to the existing Pump Lane access/egress. Pump Lane is a very busy exit route from the village for commuters wishing to

access the A19 although you do have to wait some considerable time already for traffic driving from the direction of Yarm.

A67 - Driving north from the A19 and onto the A67 traffic speeds up on the almost straight stretch of road. With a speed limit of 40 on entering Kirklevington it is very rare that motorist actually enter the speed limit travelling at 40. This is already a problem for motorists needing to turn left into Pump Lane or Forest Lane with traffic unwilling to slow down. When driving at 40 it is not possible to even count to 3 between the proposed ACCESS/EGRESS OF THE PROPOSED DEVELOPMENT and the PUMP LANE ACCESS/EGRESS. Almost opposite the proposed development is an exit road from a working farm which also hosts a very busy Riding School with Livery Stables. Traffic is coming and going all the time.

A19 CLOSURE - On many occasions the A19 has to close (the 7th of August being the most recent closure for several hours) for various reasons and the A67 is used to divert traffic either through Yarm or Thornaby. This causes great disruption to Kirklevington with vehicles not being able to exit the village. In an EMERGENCY, vehicles from the existing village are able to leave westbound along Forest Lane. This will not be an option for the residents of the proposed development.

Design of development - The proposed design of the application for the housing is not in keeping with the rest of the village.

Buffer zone - The developer proposes a Buffer Zone of trees between the existing homes on St Martins Ways and the new development. Not only will these be of concern and safety for youngsters playing in the trees, it once again separates the village from the proposed development and the development becomes nothing more than an annex.

The proposed development is outside of the VILLAGE ENVELOPE. The proposed site consists of two fields - one has, until this year, always been planted with cereal crops. The second field is used for pasture with sheep grazing and for the growing of grass for hay or silage.

Planning approval has already been agreed for 700 DWELLINGS within the Parish but no houses have yet been built. Is this called LAND BANKING? The developers of these sites obviously realise the there is no need for housing in the south of the borough.

The village already has several houses for sale some of which have been on the market for some considerable time. Do we really need more houses in Kirklevington?

Sewage - It is clear that Kirklevington has a problem with the sewage. Northumberland Water is often to be seen working in Pump Lane and the smell is quite dreadful on many occasions. More and more tankers are seen regularly travelling to the Ash Grove site which also gives off dreadful smells when, I think, it is being emptied. The developer is planning to join the sewage pipes to the existing pipes on St Martins Way. I am aware of this pipe being blocked in the past.

Water drainage - Having lived in Kirklevington for over 40 years I have always been aware of the drainage problems on the proposed development site. Homes on St Martins Way have been particularly affected. Natural ponds a feature of the site. In the past homes on St Martins Way and The Green have been very badly affected by the water table that houses have been demolished when foundations have been damaged.

Yarm Town Council

Object for the following reasons.

Transport reasons.

Roundabout on Green Lane and the A67.

A large number of housing planning permissions have been granted in the Yarm Kirklevington area, all of which have a direct affect the roundabout on Green Lane. It can clearly be seen that the traffic from another 145 houses will overload this junction. Can Officers clarify why the developers Traffic Report does not take account of the impact of their development on this roundabout given its significance as a major access point to Kirklevington.

Pump Lane.

Access to the proposed development is via Pump Lane which is one way, contains a 'blind' bend and there is little prospect of being able to improve or widen it to take the additional cars. When you do take this into consideration the suggestion that Pump Lane would be the main road into the village becomes undeliverable on a sustainable basis. The development will not therefore not be linked effectively to the rest of the village.

Junction of the A67 and Forest Lane.

Access to the village from the A67 onto Forest Lane is already a significant problem for the village. There have been numerous reports of problems and issues in relation to the junction, which will only increase if this development is to go ahead as no plans have been proposed to alleviate this problem, never mind solve the problem with an additional 145 houses in the village.

Sustainability reasons.

Not a sustainable village.

Kirklevington is rated by Stockton Borough Council as not sustainable. No further building should therefore be allowed outside the existing village envelope.

Sewage Problems.

Stockton Council are already aware of the significant issues in Ash Grove. There are a significant number of tankers visiting the sewage treatment works in Ash Grove. We understand that the tankers visit to remove deposited solids at the end of the treatment process. The road entrance for the works is currently at the end of Ash Grove and residents feel that the number of tanker visits is already too high. Another 145 houses linked to the sewage system of Kirklevington will make this problem much worse. Having large numbers of tankers passing through a residential street is not a sustainable method of dealing with sewage and the additional housing will further exacerbate the problem.

Church of Saint Martin and Saint Hilary.

The proposed development is likely to have a negative effect impact upon the Church of Saint Martin and Saint Hilary. It will certainly have an effect on the current setting of the Church, which is a centuries old 'Grade 2 star' listed building.

Councillor Julia Whitehill

Roundabout on Green Lane and the A67.

Bearing in mind the number of recently granted planning permissions for housing adjacent to this roundabout, I argue that the traffic from another 145 houses must further increase traffic levels which are already too high. I note that the Traffic Report from the developer does not seem to take account of the impact of the proposed development on this roundabout. I object to this and clearly state that the negative impact on the roundabout should be included in any assessment of likely traffic problems.

Junction of the A67 and Forest Lane.

Residents are already concerned about this junction being overloaded at peak hours. The increase in traffic generated by another 145 houses can only exacerbate this problem, to the detriment of the residents of Kirklevington who use this road.

Pump Lane.

All existing roads in the Village are connected to Forest Lane, which is the natural 'main road' for Kirklevington. The plans show that Pump Lane will be the road link between the development and the rest of the village, but the lane is currently 'one way only'. The development will not therefore not be linked effectively to the rest of the village. The narrow blind bend on Pump Lane, next to the development will only make this problem worse.

Sustainability reasons

Kirklevington is rated by Stockton Borough Council as not sustainable. No further building should therefore be allowed outside the existing village envelope.

Bus Service.

Kirklevington does not have a bus service and planning regulations discourage the use of private vehicles.

Excessive walking distances

Without a bus service any resident of the village who does not have access to private transport needs to walk to, at least, the roundabout noted above to gain access to the nearest supermarket, train station and Yarm itself. The walking distance to Yarm Medical Centre is even further. I argue that it is simply not acceptable to expect the young, the elderly and the infirm to undertake such a walk. It is not only too far it is very difficult as the A67 is a 60 mph road. The middle section of the footpath is very narrow and does not have street lighting.

I strongly suggest to you that planning officers and councillors who are members of Stockton Planning Committee should be asked to walk from the middle of the village to Yarm Medical Centre in order to judge for themselves the distances involved and the sustainability issues caused by such an unattractive route.

Cycling

There is no cycling lane between Kirklevington and Yarm. This means that any person wishing to use cycling as a means of transport must use the A67 and cycle on a main road used by 40 ton wagons.

Employment

There is very little employment in the village. I am not aware of any proposals for bringing in large numbers of jobs. This means that any residents of the proposed new development will need to use private transport to get to work. This is not sustainable.

Sewage Problems.

Residents of Ash Grove have already raised concerns regarding the number of tankers visiting the sewage treatment works. I understand that the tankers visit to remove deposited solids at the end of the treatment process. The road entrance for the works is currently at the end of Ash Grove and residents feel that the number of tanker visits is already too high. Another 145 houses linked to the sewage system of Kirklevington will make this problem much worse. Having large numbers of tankers trundling down a residential street is not a sustainable method of dealing with sewage.

Church of Saint Martin and Saint Hilary.

The proposed development is likely to have a negative effect impact upon the Church of Saint Martin and Saint Hilary. It will certainly have an effect on the current setting of the Church, which is a centuries old 'Grade 2 star' listed building.

Councillor Ben Houchen

Object to for the following reasons.

Transport reasons.

Roundabout on Green Lane and the A67.

Given the number of recently granted planning permissions for housing in and around this area, all of which directly affect the roundabout on Green Lane, I would argue that the traffic from another 145 houses will increase traffic levels to a level beyond the point of which the junction can cope with. I also find it strange and concerning that the Traffic Report from the developer does not seem to take account of the impact of the proposed development on this roundabout given it is a major access point to Kirklevington and any significant development of this type will adversely impact on this junction.

Pump Lane.

Forest Lane is the natural 'main road' for Kirklevington. The plans show that Pump Lane will be the road link between the development and the rest of the village, but the lane is currently 'one way only'. There is nothing to suggest that this road is going to be improved to be able to take the additional traffic and I would strongly argue that there is little prospect of being able to improve or widen this road to take the additional cars. This consideration doesn't take into account the fact that the road is currently one way. When you do take this into consideration the suggestion that Pump Lane would be the main road into the village becomes undeliverable on a sustainable basis. The development will not therefore not be linked effectively to the rest of the village. The narrow blind bend on Pump Lane, next to the development will only make this problem worse.

Junction of the A67 and Forest Lane.

Access to the village from the A67 onto Forest Lane is already a significant problem for the village. There have been numerous reports of problems and issues in relation to the junction, which will only increase if this development is to go ahead as no plans have been proposed to alleviate this problem, never mind solve the problem with an additional 145 houses in the village.

Sustainability reasons.

Not a sustainable village.

Kirklevington is rated by Stockton Borough Council as not sustainable. No further building should therefore be allowed outside the existing village envelope.

Sewage Problems.

Stockton Council are already aware of the significant issues in Ash Grove, which have been raised by me and my colleagues over an extended period of time. There are a significant number of tankers visiting the sewage treatment works in Ash Grove. I understand that the tankers visit to remove deposited solids at the end of the treatment process. The road entrance for the works is currently at the end of Ash Grove and residents feel that the number of tanker visits is already too high. Another 145 houses linked to the sewage system of Kirklevington will make this problem much worse. Having large numbers of tankers passing through a residential street is not a sustainable method of dealing with sewage and the additional housing will further exacerbate the problem.

Church of Saint Martin and Saint Hilary.

The proposed development is likely to have a negative effect impact upon the Church of Saint Martin and Saint Hilary. It will certainly have an effect on the current setting of the Church, which is a centuries old 'Grade 2 star' listed building.

Northern Gas Networks

No objections, there may be apparatus in the area, suggest contact from developer.

Spatial Plans Manager

Summarising comments

The starting point for consideration of the application is the adopted development plan. The application is contrary to the adopted development plan. However, the Council accepts that it is not

able to demonstrate a five year supply of deliverable housing sites with a 20% buffer added. Paragraph 47 of the NPPF stresses the importance the Government attaches to boosting significantly the supply of housing and paragraph 49 of the NPPF sets out that where a five year supply cannot be demonstrated, relevant policies for the supply of housing should not be considered up to date.

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

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

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

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

The weight that can be attached to 'Saved' Policy EN13 will vary on a case-by-case basis depending on the intrinsic value of the countryside in question. The weight that can be attached to CS8 (9) is reduced because it predates the NPPF which allows local planning authorities to consider whether allowing some rural market housing would facilitate the provision of affordable housing.

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

The case officer will need to consider the proposal in a landscape and visual context.

The proposal represents an increase of 36% in the number of dwellings in Kirklevington. The ability of Kirklevington to adequately support development on this scale will clearly be a key aspect of the case officer's assessment.

In making this assessment the case officer will need to consider the proposal in relation to the following adopted development plan policy:

Point 1 of Core Strategy Policy 2
Point 1 of Core Strategy Policy 6

In relation to Point 1 of Core Strategy Policy 6 the case officer will need to determine whether the proposed community and sports facilities are appropriate to the needs of Kirklevington and whether they are deliverable.

The case officer will need to draw together his consideration of Policy CS2 (1) and Policy CS6 (1) with his consideration of the 11th and 12th of the NPPF core planning principles. Drawing these together should enable a balanced view of the planning merits in the context of the ability of Kirklevington adequately support the development and conversely whether the facilities which appear to accompany the proposal could be viewed as delivering 'sufficient community and cultural

facilities to meet local needs' (NPPF 12th core planning principle) and thereby contributing to the sustainability of the community (Policy CS6 (1)).

The applicant will also need to demonstrate that development on this scale in relation to the application site is consistent with the 4th of the NPPF core planning principles (achieving high quality design and a good standard of amenity).

Children, Education and Social Care

Since individual school populations vary from year to year, and cannot be predicted with certainty, it is possible that vacant school places predicted at an earlier stage may no longer exist by the commencement of any given development. Education obligations will usually consist of a financial contribution for the provision of off-site facilities. However, there may be exceptional instances where major residential development results in the need for new on-site educational facilities. This development cannot be considered in isolation with regards to 'its impact on education' due to the fact the three other already approved housing developments could yield up to 273 additional primary pupils and 210 secondary pupils some of which are in the catchment for Kirklevington Primary School.

In total these three developments before taking into consideration this application could generate up to 273 primary aged children over the life of these housing projects adding to the strain on places. There are other primary schools within the vicinity of all of these four sites which could accommodate some primary pupils namely Yarm Primary, an academy. Using Jan 2015 census they had 49 surplus places which will increase slightly from September 2015 as there is a lower Reception class joining compared to the Y6 class that has moved up to secondary. Another primary school near by - Levendale Primary will have very few spaces available.

In view of the anticipated lack of provision a contribution to both primary and secondary places is requested.

Environmental Health Unit

No objection in principle to the development. I agree with the findings of the preliminary risk assessment which concludes that there is no significant risk of contamination as result of the previous site use, and recommend a limited phase II intrusive investigation of the backfilled pond areas. I would therefore recommend the following conditions be imposed;

Preliminary Risk Assessment survey – prior to commencement
Construction/Demolition Noise
Proposed Residential Premises - Noise disturbance from adjacent road
Proposed Village shop/ Changing area - Noise disturbance from access and egress to the premises & Noise disturbance from vehicles servicing the premises
Tennis Court & Bowling Green - Light Intrusion (should lighting be proposed)
Noise disturbance – Limiting opening hours
Demolition and Dust Emissions
Open burning

The Ramblers Association

We note that Kirklevington FP No. 16 within the existing development has lost all the possible character of a country footpath it might have had in the past.

To prevent this happening to the section of FP 16 within the proposed development, should the Council approve this application, we ask that the approval be subject to suitable landscaping between the relevant rows of houses. Such landscaping should be of sufficient width (5 metres?) to accommodate hedges and grass verges on either side. This would encourage the growth of wild flowers, butterflies etc and maintain the countryside nature of the location.

Highways England

Summary of comments

Initially issued a Holding Direction suggesting further information required including, further modelling required of the Crathorne Interchange, further details required in terms of travel and traffic count numbers used, further information required in relation to the existing junction layout with and without the development should be provided. With regards to the travel plan, no reference is made to benefits of public transport, reference should be made to access to local services, questions over assumptions of walking suitability to Yarm, a target to reduce single person trips must be set as should information on person trips by all modes.

Following advice from Highways England removed their Holding Objection, being satisfied of the details submitted.

SBC – Highways, Transport and Environment

Executive Summary provided below, full version available on line or by request.

Executive Summary

Subject to the comments below Highways, Transport and Environment has no objections to the outline planning application for the construction of up to 145 dwellings and associated community and recreational facilities.

The impact of the proposed application on the highway network has been assessed by the applicant, within the Transport Assessment (TA) submitted in support of the proposed development, and also using the Council's Yarm, Ingleby Barwick, Aimsun Model (YIBAM).

The YIBAM traffic modelling provides a more informed response regarding the impact of the development on the wider network rather than reviewing each junction in isolation as undertaken in the TA.

The results show that there would be limited practical difference in terms of traffic impact on the local road network with or without the proposed development. This is because the development would be a small proportion of both the population and the overall future development proposals within the area that the YIBAM model covers and within this, it is reasonable to predict that 'peak spreading' would occur as users stagger journey times to avoid traffic congestion.

It is, therefore, accepted that the highways network within the vicinity of Yarm, would suffer some congestion, however, it cannot be demonstrated, within the context of NPPF, that the residual cumulative impact of the proposed development on the highways network would be severe.

The model also assumes that all dwellings associated with both the extant approvals and the proposed development would be built out within a 10 year time-frame, however, it is considered that this is unlikely to be the case due to the proximity of the various competing developments to each other.

The TA has identified that a further improvement would be required at the A19/A67 Crathorne interchange. Prior to commencement of the development, further details of the improvements to the A19/A67 Crathorne Interchange should be submitted and approved by the Council in consultation with the Highways England. A Stage 2 Road Safety Audit should also be submitted for the proposed layout at that time.

The applicant has submitted an indicative site layout plan, which sets out the details of the proposed site access arrangements including the re-configuration of Pump Lane / Thirsk Road,

which are considered to be broadly acceptable. The appropriate Road Safety Audits should be undertaken on the proposed site access arrangements and this should be secured by condition.

Therefore, taking account of the above, Highways, Transport and Environment are unable to object to the proposed development in relation to the predicted impact on the highways network. Should the application be approved, the provision of the access arrangements should be secured via the reserved matters application process and off site highway works secured through a s106 Agreement.

The village currently benefits from a bus service, which operates two days of the week, however due to the limited frequency of the service it does not encourage modal shift away from car borne journeys. It is, therefore, proposed, as a part of the current application, to increase the frequency of this service, to provide a minimum of a half hourly service Monday to Saturday, which is understood as being a planning requirement to make the village a more sustainable location to allow the principle of new residential development to be supported. The cost (estimated at (£775,000) associated with this for a 5 year period is to be met by the developer and should be secured through a s106 Agreement.

The applicant has submitted a Travel Plan in support of the proposed application which is considered to be broadly acceptable. The agreement of a final Travel Plan would form part of any reserved matters application and should be secured by condition.

A Construction Management Plan should be agreed prior to construction commencing on the site and this should be secured by condition.

Whilst indicative, the illustrated layout retains glimpsed views of the historic church across the green with a number of properties facing directly onto the green reminiscent of a traditional village green. However, the layout proposes a tight density and urban grain which could result in a car dominated street scene. In some places this is alleviated by the use of parking courts to the rear of properties, which may not be desirable (design dependent). A large concentration of generic house types could adversely impact upon the village character, the design of the properties is key to creating a sense of place, sympathetic to local character. Consideration should be given to the appearance of the streetscape particularly properties turning corners. It is expected these points would be dealt with at Reserved Matters stage.

Green infrastructure including street trees must form part of any approved layout. During the consideration of this application the proposed landscape buffer to the southern edge of the application site has been reduced. It is essential that this landscape buffer be increased to accommodate a minimum of 10m of dense planting along the full length, or any reduction in width or planting must be supported by a Landscape and Visual Impact Assessment (LVIA) so as to integrate the application site into its surroundings.

Further details of pedestrian circulation routes, cycle routes, informal and formal play facilities, and Sustainable Urban Drainage will be required as well as a full landscaped scheme detailing hard and soft landscaping, boundary treatments, street furniture and lighting, as well as any proposed play equipment. A full tree survey should also be undertaken as well as a shade parameter plan to inform the development layout.

The proposed development site is situated within Flood Zone 1 and is, therefore, not at risk of either tidal or fluvial flooding. Surface water, however, should be managed to ensure that run-off from the site is restricted to existing greenfield runoff rates, with flows in excess of this rate attenuated on site for the 1 in 100 year storm event, plus an allowance for climate change. A detailed surface water management plan is yet to be submitted and this should be secured by condition.

As details of the proposed renewable energy equipment is yet to be submitted this policy requirement should be secured by condition.

Detailed comments and conditions are included below in Appendix 1 and 2 respectively (Viewable online or by request)

SBC - Private Sector Housing

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

SBC - Head of Housing

The Strategic Housing Market Assessment (SHMA) 2012 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.

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

We note from the Planning Statement that the developer is proposing to deliver 15% (22no.) of the total scheme numbers as affordable homes. Housing Services would therefore accept the proposed percentage of 15% as it is in line with Council policy.

As indicated by the applicant the proposed mix has been discussed and agreed in principle prior to submission of the application and is confirmed below.

No. of units	Size	Tenure
15 Units	2 bed	14 x Rented
1 x Intermediate		Tenure
7 Units	3 bed	6 x Rented
1 x Intermediate		Tenure

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.

Historic England

Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

SBC - Conservation And Historic Buildings Officer

The application site lies on the outskirts of Kirklevington village. Kirklevington itself is an attractive medieval village with several listed buildings on Forest Lane, traditional formed properties with modern developments and housing expansion. In this instance, I consider that the main heritage considerations of the application is the effect of the proposal on the setting and context of the listed church St Martins which is listed at grade II*

The applicant has provided within the submitted design and access statement the information required through paragraph 128 of the NPPF set out below:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant

historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 129 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Saved policy EN28 of the adopted Stockton on Tees Local Plan states that development which is likely to detract from the setting of a listed building will not be permitted. There are existing examples of modern development adjacent to the church. These have respected views from the church to the south.

The main views of the church are from Pump Lane and beyond with views of the church from the south currently interrupted by mature trees and planting.

I note that the proposed development (although outline) intends to leave the area directly to the south of the church undeveloped through creation of a village green. This would allow key views of the church to be respected and the current open aspect of the buildings outlook retained. In this respect I therefore consider this approach to be appropriate and that due consideration has been given to the impact of the proposal on the setting of the church.

The proposed Village Green should 'fan' out rather than being a straight, fixed line. I also have concerns that placement of the public areas and buildings, as proposed would be somewhat at odds with the natural development of a village Green and the resulting overall appearance. This should be a more informal space, perhaps with housing framing the edge of the Green with high quality landscaping and appropriate gaps as would normally be seen on a traditional Yorkshire or Durham Green.

The resulting scale and form of the development will also be crucial to ensure no adverse impact on the setting of the church and the regular layout and form shown on the illustrative plans would be at odds with the more informal and organic nature of growth associated with a historic village and therefore would be at odds with the prevalent village character and this needs to be considered further should the plans progress.

The Environment Agency

No objections to the proposed development and have the following comments/advice to offer:

Ground Water/Land Contamination - Advice to LPA/Applicant

In relation to the proposed development, in so far as it relates to land contamination, we only consider issues relating to controlled waters. We are unable to provide detailed site-specific advice or guidance with regards to land contamination issues for this site. However, the developer should be aware that the site is located on a Principal Aquifer which is a sensitive controlled waters receptor which could be impacted by any contamination at the site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

We recommend that developers should:

Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

Northumbrian Water Limited

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

Having assessed the proposed development against the context outlined above NWL have the following comments to make:

Last year the applicant submitted a pre-development enquiry for an additional 180 new units at the above site. At the time we responded to the enquiry advising that the sewage treatment works to which this development will discharge was at full capacity and could not accept any further flows until upgrade works were undertaken. We have recently completed an annual review of the flow data for this STW and this has identified that there is enough spare capacity to accommodate the proposed foul flows from this development prior to the upgrade works being undertaken

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "14T734-100 Drainage Philosophy Plan". In this document it shows foul water connecting into manhole 8604 (as previously agreed) and shows surface water connecting directly to the watercourse.

We would therefore request that the 14T734-100 Drainage Philosophy Plan form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

Tees Archaeology

The developer has provided an archaeological desk based assessment for the site and has followed this with a field evaluation in the form of a geophysical survey. Given the nature of the archaeological resource identified (see below) I feel that the information provided meets the requirements of the NPPF (para 128) in relation to heritage assets of archaeological interest.

In summary the reports conclude that the proposal lies outside of the historic core of the medieval settlement at Kirklevington, in an area that would have been used as an open field system. The desk based assessment report has identified the remnants of a post-medieval brick industry. The archaeological remains of the brick making kilns are of archaeological interest but would not be of such significance as to warrant physical preservation (NPPF para 135).

The geophysical survey has confirmed the presence of the brick making site and has also identified other anomalies consistent with backfilled clay pits. Other than these features (and fragmentary field boundaries) the geophysical survey shows very little and suggests a low archaeological potential consistent with the use as agricultural fields since at least the 11th century.

In summary the site contains the remains of a post-medieval brick industry from the early 18th century onwards. This is of local significance and will be destroyed by the proposed development. In this case it would be reasonable for the local authority to require the developer to archaeologically record the archaeological remains identified and make the results publicly accessible (NPPF para 141). It would also be prudent to maintain archaeological monitoring during topsoil stripping across the site as a whole in order that any previously unrecorded archaeological remains (e.g. discrete prehistoric to Anglo-Saxon features that may not have shown on the geophysics) can be properly recorded.

Recommended a condition be imposed to investigate and record archaeology on site.

PUBLICITY

Neighbours were notified. 288 comments have been made against the application, 1 of support, 286 of objection and 1 making comment. Comments were received from the following and are summarised below:-

Objections received from

Mrs Margaret Wright, 6 The Green
Kirklevington

S Wilkinson, 7 Hall Moor Close Kirklevington
Corrinne Wilkinson, 7 Hall Moor Close
Kirklevington

Mrs Elizabeth Bruce, 6 The Slayde Yarm
Mr Ian Ruddock, 25 Braeworth Close Yarm
Mr Ian Forman, 45 Forest Lane Kirklevington
Mrs Rachael Lambert, 14 Grove Bank
Kirklevington

Mr Peter Hodgson, The Barn Grove Stables
Mr George Hartley, 20A Ash Grove
Kirklevington

Mr Andrew Wright, 5 Penders Lane
Kirklevington

Mrs Susan Morley, 20 St Martins Way
Kirklevington

Mr Kenneth Glew, 24 Ash Grove
Kirklevington

Mrs Christine Glew, 24 Ash Grove
Kirklevington

Mr Jon Stansmore, 1 Birch Close
Kirklevington

Mr Robert Knowles, 2 Manor Garth
Kirklevington

Mr A Cheesebrough, 94 Forest Lane
Kirklevington

Ms Lee O'Sullivan, 40 Forest Lane
Kirklevington

Mrs Kim Fraser, 67 Forest Lane Kirklevington
S.M.Crawshaw, 55 Forest Lane Kirklevington

Mr John matchett, 10 Grove Bank
Kirklevington

Mr Mark Murray, 11 St Martins Way
Kirklevington

Mrs Punam Vaze, 29 St Martins Way
Kirklevington

Mr Kevin Brown, 19 St Martins Way
Kirklevington

Mr Andrew Pemberton, 10 Levington Mews
Thirsk Rd

Mr Darren Kirk, Fritton Pump Lane

Mr Michael Woodhouse, 32 The Green
Kirklevington

Mr Lincoln French, 11 Moor Close
Kirklevington

Mrs Rebecca Thomason, 2 Moor Close
Kirklevington

Mr Damian Hadfield, 35 Forest Lane
Kirklevington

Mrs Anne Irvine, 21 St Martins Way
Kirklevington

Mr Mark Young, 9 St Martins Way
Kirklevington

Mr S CHANDLER, 6 St Martins Way
Kirklevington

Mrs D M-Smith, 26 St Martins Way
Kirklevington

Mr David Glasper, 11 Manor Garth
Kirklevington

Mrs Suzy Brown, 1 St Martins Way
Kirklevington

Mr Brian Beaumont, 3 St Martins Way
Kirklevington

Mrs Suzanne Pratt, The Hawthorns Pump
Lane

Mr Stephen Lodge, 30 The Green
Kirklevington

Mrs J Cheesebrough, 94 Forest Lane
Kirklevington

Mrs Frances Hunter, 1 Strathmore Drive
Kirklevington

Amanda Tombling, The Canter Thirsk Road
Mrs Claire Binns, Roseberry House Thirsk
Road

Mr Mark Bartholomew, 7 Town End Close
Kirklevington

Mrs Barbara Kelley, 7 Moor Close
Kirklevington

Mr Richard Bendelow, 42 St Martins Way
Kirklevington

A Christopher Smith, 6 Town End Close
Kirklevington

Mr Michael Douglas, The Old Vicarage Pump
Lane

Mrs Natalie Preece, 10 Manor Garth
Kirklevington

Mr George Warters, 27 St Martins Way
Kirklevington

Mrs Elaine McCue, 1 Levington Mews Thirsk
Road

Mrs Sally Pearson, 12 St Martins Way
Kirklevington
Mr Gary Martin, 40 Forest Lane Kirklevington
Mr James Baird, 3 Westlands Kirklevington
Mr Keith Morley, 20 St Martins Way
Kirklevington
Mr Andrew Robinson, 4 Town End Close
Kirklevington
Mrs Alison Calvert, 3 Town End Close
Kirklevington
James Warters, 78 Forest Lane Kirklevington
Mr Jamie Hunter, 1 Strathmore Drive
Kirklevington
George Rabbitts, 15 Braeside Kirklevington
Dr Colin Graves, 34 Forest Lane
Kirklevington
Alistair McLee, 3 The Green Kirklevington
Mr John Davison, 2 Braeside Kirklevington
Mrs Linda Mace-Michalik, 18 Ash Grove
Kirklevington
Mr Richard Nann, 3 Jasmine Fields
Kirklevington
Mrs Dorothy Sinclair, 12 Moor Close
Kirklevington
Mrs Cathy Nealon, 13 The Green
Kirklevington
Mr James R Irvine, 21 St Martins Way
Kirklevington
Mrs Julie Humphries, 8 The Green
Kirklevington
Ms Rebecca Rogerson, 11 Forest Lane
Kirklevington
Mrs Yvonne Elston, 8 Jasmine Fields
Kirklevington
Mrs Deborah Young, 9 St Martin's Way
Kirklevington
Mr Maurice Short, 5 Knowles Close
Kirklevington
Mr Bruce Binns, Roseberry House Thirsk
Road
Mrs Shelagh Williams, 5 Hall Moor Close
Kirklevington
Mr Andrew Sherris, 18 Merlay Close Yarm
Carol McLee, 3 The Green Kirklevington
Mrs Janette Anderson, 14 Jasmine Fields
Kirklevington
Mr Andrew Anderson, 14 Jasmine Fields
Kirklevington
Mr Dale Metcalfe, 3 Jasmine Fields
Kirklevington
Miss Laura Nann, 3 Jasmine Fields
Kirklevington
Mrs Keeley Potter, 41 Forest Lane
Kirklevington
Mrs Karen Alton, 10 The Green Kirklevington

Mrs Pauline Bland, 17 Knowles Close
Kirklevington
Mrs Pauline Thompson, 45 Ash Grove
Kirklevington
Mrs Janice Graham, 10 Battersby Close
Yarm
Mrs M Stansfield, 3 Birch Close Kirklevington
K Hammond, 53 Government Row Enfield
Mr Nicholas Flight, 22 Ash Grove
Kirklevington
Mr David Potter, 2 Fauconberg Way Yarm
Alan Tweedy, 2 Knowles Close Kirklevington
Anthony Stephen Hampton, Parochial Church
Council of The Church Of Saint Martin And
Saint Hilary At Kirklevington
Hazel Horner, 24 The Green Kirklevington
Malcolm Adamson, 70 Wetherall Avenue
Yarm
Dr Brett Webster, 11 Blackfriars Yarm
Mr David Torr, 3 Strathmore Drive
Kirklevington
Mrs Karen Dunn, 42 Spitalfields Yarm
Mrs Jane Dearlove, 5 Strathmore Drive
Kirklevington
Mr Ben Nealon, 13 The Green Kirklevington
Mr Daniel Duggan, 10 Master Road Thornaby
Mr Phillip Hetherington, 6 Braeside
Kirklevington
Mr Harvey Elston, 8 Jasmine Fields
Kirklevington
Arthur Edward Larry, 9 Jasmine Fields
Kirklevington
Cath Boden, 43 Forest Lane Kirklevington
Mr Callum Bendelow, 42 St Martins Way
Kirklevington
Mr Craig Harrison, The Lodge Kirklevington
Grange
Mr Philip Hall, 4 The Green Kirklevington
Mrs Jennie Beaumont, 3 St Martins Way
Kirklevington
Mr Jeremy Preece, 10 Manor Garth
Kirklevington
Mrs M A Leeser, 9 Knowles Close
Kirklevington
Mrs Helen Ferrar, 39 Forest Lane
Kirklevington
Mr Simon Waller, 14 Winter Close Yarm
Mr Antonie Mazonas, 1 St Martins Way
Kirklevington
Mrs Dolores Tiltman, 3 Howden Dike Yarm
Mr Alan Farrage, 51 Forest Lane
Kirklevington
Mr Richard Walker, 18 The Green
Kirklevington

Mr Terence Dunn, 52 Forest Lane
Kirklevington
Jeremy J Lewis, 12 Braeside Kirklevington
Mr R Littlemore, 89 Forest Lane Kirklevington
Mrs N Littlemore, 89 Forest Lane
Kirklevington
Kenneth Morrison, 14 Strathmore Drive
Kirklevington
B Boden, 43 Forest Lane Kirklevington
Mrs Lynda Ayre, 85 Forest Lane Kirklevington
Mrs Margaret Firth, 25 Ash Grove
Kirklevington
Mrs Muriel Claybrook, 20 The Green
Kirklevington
Mrs S Bendelow, 42 St Martins Way
Kirklevington,
Mr Peter Litherland, 1 Ash Grove
Kirklevington
Mrs Hazel Stokeld, 38 Ash Grove
Kirklevington
Mr Ben Nealon, 13 The Green Kirklevington
Mr Daniel Duggan, 10 Master Road Thornaby
Mr Phillip Hetherington, 6 Braeside
Kirklevington
Mr Harvey Elston, 8 Jasmine Fields
Kirklevington
Arthur Edward Larry, 9 Jasmine Fields
Kirklevington
Cath Boden, 43 Forest Lane Kirklevington
Mrs Samantha White, 36 Forest Lane
Kirklevington
Mr Richard White, 36 Forest Lane
Kirklevington
Mr Jamie Smith, 26 St Martins Way
Kirklevington
Mrs Rosalie Butler, 10 Ash Grove
Kirklevington
Mrs Diana Flight, 22 Ash Grove Kirklevington
Mr William Ritson Hogg, 17 Wardell Close
Yarm
Mr Martin Greenwood, 14 The Green
Kirklevington
Mrs Julia Greenwood, 14 The Green
Kirklevington
Mrs Gail Chandler, 6 St Martins Way
Kirklevington
Gail Chandler, 6 St Martins Way
Mr Grant Grieve, 2 The Green Kirklevington
Mr Denis Bland, 17 Knowles Close
Kirklevington
Mr Robert Campbell, 8 Battersby Close Yarm
Mrs Valerie Walker, 18 The Green
Kirklevington
Mr Stephen Ward, 7 Westlands Kirklevington

Graham Jacobs, 5 Kirklevington Hall Drive Nr
Yarm
Mrs Melanie Duggan, 10 Master Road
Thornaby
Mr John Firth, 25 Ash Grove Kirklevington
Sue Larry, 9 Jasmine Fields Kirklevington
Mrs Kathryn Hall, 4 The Green Kirklevington
Hazel Stokeld, 38 Ash Grove, Kirklevington
Mrs Susan Graves, 34 Forest Lane
Kirklevington
Mrs Lindsey Brownlee, 9 Leven Road Yarm
Mr Neil Thompson, 45 Ash Grove
Kirklevington
Mrs Vikki Sherwood, 4 Penders Lane
Kirklevington
Mrs Alison Kerr, 80 Forest Lane Kirklevington
Mrs Fiona Dunn, 52 Forest Lane
Kirklevington
F Dunn, 52 Forest Lane, Kirklevington
Mr Richard Humphries, 8 The Green
Kirklevington
Mr Anthony Mace, 18 Ash Grove
Kirklevington
Mr Stephen Dearlove, 5 Strathmore Drive
Kirklevington
Mrs Kathleen Page, 42 Ash Grove
Kirklevington
Archibald Dixon, 49 Forest Lane Kirklevington
Mr Philip Haynes, 1 Braeside Kirklevington
Mr James Wallace, 15 Knowles Close
Kirklevington
Mr Mark Stokeld, 38 Ash Grove Kirklevington
H. Knight, 27 Ash Grove, Kirklevington
J. Knight, 27 Ash Grove, Kirklevington,
Faye Smith, 6 Town End Close,
Kirklevington,
Mr Philip Appleby, 3 Earle Close, Yarm
Mrs Jackie Nann, 3 Jasmine Fields
Kirklevington
Mr Mark Potter, 41 Forest Lane Kirklevington
Mrs Karen Evans, 1 Kingsdale Close Yarm
Mrs J ROBERTS, Laneside Cottage
Fieldhouse Lane
Mr David Butler, 10 Ash Grove Kirklevington
Mr David Sillett, 15 Birch Close Kirklevington
Manoj Krishna, 7 Kirklevington Hall Drive
Kirklevington
Chris Cooley, 1 Stevenson Close Stockton
On Tees
D And S Makepeace, 5 Earle Close, Leven
Park,
Mr David Salmon, 7 Birch Close Kirklevington
Deborah And Nigel Ellenor, 13 Strathmore
Drive, Kirklevington,
Mr John Calder, 33 The Larun Beat Yarm

Mrs Kate Brown, 19 The Green Kirklevington

Rob Angus, 17 Levington Mews Thirsk Road
Mrs Pauline Douglas, The Old Vicarage
Pump Lane

Mr R W Lynam, 11 Westlands Kirklevington
M Robert Smith, 15 The Green Kirklevington
Mrs J Watson, 6 Grove Bank Kirklevington
Mrs J A Smith, 10 Strathmore Drive
Kirklevington

Mr N E B Smith, 10 Strathmore Drive
Kirklevington

Sue De Badgecoe, 18 St Martins Way
Kirklevington

Dr James Parker, 14 Ash Grove Kirklevington
C Gallagher, 36 St Martins Way Kirklevington
Mr David I Fraser, 67 Forest Lane
Kirklevington

Mrs S J Sutton, 4 Strathmore Drive
Kirklevington

Christine Warters, 27 St Martins Way
Kirklevington

Mr I D Gordon, 32 St Martins Way
Kirklevington

Miss R Grainger, 17 Levington Mews Thirsk
Road

G Allen, 4 St Martins Way Kirklevington
David Kirk, 6 Moor Close Kirklevington
Mrs C A Adams, Squirrels Leap Pump Lane
Mr J Kay, 10 St Martins Way Kirklevington
Mr T C Maughan, 34 St Martins Way
Kirklevington

Mrs R J Butcher, 40 St Martins Way
Kirklevington

Dale Robinson, 25 St Martins Way
Kirklevington

C Bielby QGM, MA, 28 St Martins Way
Kirklevington

Andrew Fletcher, 8 St Martins Way
Kirklevington

Mr Brian Bassett , St Martins Way
Kirklevington

Judith Murdock, 22 St Martins Way
Kirklevington

Katie Hewitt, 1 Moor Close Kirklevington
Mrs A Coffey, 17 St Martins Way
Kirklevington

J H Thompson, 24 St Martins Way
Kirklevington

Mrs D Clayton, 16 St Martins Way
Kirklevington

Paul Brazier, 23 The Green Kirklevington
W M Gallagher, 36 St Martins Way
Kirklevington

David Bell, 34 The Green Kirklevington

Mr David Whitcombe, 15 Strathmore Drive
Kirklevington

Nigel De-Badgecoe, 18 St Martins Way
Kirklevington

Mrs Mary English, 14 St Martins Way
Kirklevington

M Scott, 5 Moor Close Kirklevington
Walter Hingley, 2 Town End Close
Kirklevington

Maureen Wood, 14 Manor Garth
Kirklevington

Mrs J McBain, 3 Moor Close Kirklevington
Mr And Mrs Wood, 38 St Martins Way
Kirklevington

Corinne Bell, 34 The Green Kirklevington
D Brickles, 4 Jasmine Fields Kirklevington

Mrs M W Chisholm, 19-21 Forest Lane
Kirklevington

Miss E Warren, 10 St Martins Way
Kirklevington

Mrs B Morrison, 14 Strathmore Drive
Kirklevington

Mr And Mrs Bell, 92 Forest Lane
Kirklevington

D Bewley, 18 Grove Bank Kirklevington
I McDougall, 1 Kirklevington Hall Drive
Kirklevington

A J Norman, 5 Birch Close Kirklevington
Mrs G Leversidge, 14 Braeside Kirklevington

Mr A B Alton, 10 The Green Kirklevington
Antony Clayton, 16 St Martins Way
Kirklevington

Ian Hindmarsh, 70 Forest Lane Kirklevington
R Snaith, 65 Forest Lane Kirklevington

Russell Sherwood, 4 Penders Lane
Kirklevington

Mrs P Haworth, 11 Birch Close Kirklevington
Ann Whitcombe, 15 Strathmore Drive
Kirklevington

Norma Neasham, 3 Penders Lane
Kirklevington

S E Matthews, 20 Ash Grove Kirklevington
Sheila Lynam, 11 Westlands Kirklevington

D Matthews, 20 Ashgrove Kirklevington
Mrs Mabyn Bassett, 2 St Martins Way
Kirklevington

Amanda McCaffery, 78 Forest Lane
Kirklevington

Pam Mairs, 22 Hall Moor Close Kirklevington
A C Mairs, 22 Hall Moor Close Kirklevington

Val Rice, Jasmine Cottage 16 Forest Lane
Mrs M Whelan, 10 Hall Moor Close
Kirklevington

N Taylor, 23 Ash Grove Kirklevington

Andrew Alton On Behalf Of The Kirklevington Action Group, 10 The Green Kirklevington
 SK Transport Planning Ltd, Albion Wharf 19
 Albion Street, Manchester
 Kirklevington Action Group, 10 The Green
 Kirklevington
 Roger Murdock, 22 St Martins Way
 Kirklevington
 Mrs G Allen Chair Of Kirklevington Action Group
 4 St Martins Way Kirklevington
 David J Haworth, 11 Birch Close
 Kirklevington
 D M Dalby, 2 Kirklevington Hall Drive
 Kirklevington
 Jim Welsh, 4 Braeside Kirklevington
 Marilyn Welsh, 4 Braeside Kirklevington
 G N Bielby, 28 St Martins Way Kirklevington
 Sandra Farrage, 51 Forest Lane Kirklevington
 Dr R S Coffey, 17 St Martins Way
 Kirklevington

Christine Austin, 9 The Green Kirklevington
 Alan Austin, 9 The Green Kirklevington
 Linda Badcock, 10 Finchfield Close
 Eaglescliffe
 John Badcock, 10 Finchfield Close
 Eaglescliffe
 Alwyn Wood, 38 St Martins Way Kirklevington
 Sheila Otterson, 72 Forest Lane Kirklevington
 John Otterson, 72 Forest Lane Kirklevington
 Mrs M Brickles, 4 Jasmine Fields
 Kirklevington
 Sandra Hartley, 20A Ash Grove Kirklevington
 M Sutton, 4 Strathmore Drive Kirklevington
 J And W Bleach, 33 Ash Grove Kirklevington
 M C Gradwell, 66 Forest Lane Kirklevington
 J Gradwell, 66 Forest Lane Kirklevington
 C S and M Dowling, 21 The Green
 Kirklevington
 Mr P Leversidge, 14 Braeside Kirklevington

Comments of objection

- The size of the development is too large for Kirklevington,
- There are insufficient services to serve the development / expanded village
- The village does not need the services proposed by the scheme,
- Additional houses are not needed, there are plenty of houses for sale and to rent in the surrounding area,
- Who will maintain the proposed facilities,
- There is already village green, providing a new one will split the village,
- The scheme is on greenfield land beyond the village boundary, within greenbelt
- There is sufficient brownfield land within Stockton where housing should be focussed,
- Southern Stockton / Ingleby, Yarm and Kirklevington Parish has already seen too much development,
- The scheme will not preserve the historic character of the village,
- Detrimental impact on highway safety due to new accesses.
- Increased car journeys in to Yarm, which is already congested and unsuitable for the increased traffic.
- Significant problems on local roads when the A19 is closed, this will make it worse,
- The local roads cannot take anymore traffic,
- The access onto the A67 would be unsafe, there are already numerous accidents in this area,
- Existing problems with foul drainage system, no additional capacity, significant problems with existing sewage treatment works,
- Numerous tankers have to empty the sewage treatment works every week via a narrow residential street,
- Standing water in fields which are part of the site and the adjacent gardens, concerns this wil worsen current situation,
- The scheme will attract families and the existing services including the school are already over-subscribed,
- The scheme will blight the listed church,
- No public transport in the village so private cars would need to be used and this would be unsustainable,

- There is no employment or shop in the village so why is there a need for housing,
- The scheme will irreversibly change the feel of the village,
- Construction noise, traffic etc will blight the village for years, increase carbon emissions,
- The additional traffic will significantly,
- The open aspect from the village school makes it a wonderful place for kids to learn and play, this will be lost,
- The walk to Yarm along the A67 is not pleasant, not safe, is unlit, narrow path, speeding traffic immediately adjacent. It also doesn't feel safe for cyclists,
- To expect much walking or cycling from the new residents seems unrealistic.
- Adverse effect on the residential amenity of neighbours, by reason of noise, disturbance, overlooking, loss of privacy and overshadowing, affecting amenity of existing residents,
- Unacceptably high density / overdevelopment of the site,
- Involves loss of the open aspect of the neighbourhood, loss of views,
- Shops and sports centres attract youths to the area which follows anti social behaviour.
- The proposed village green area is adjacent to the A67. Hardly a place for leisure activities.
- This proposal would detract from the cohesive character of the existing tight knit close village community.
- The Borough should remain to concentrate development in the core area. Rural villages accessed mainly by private cars should not be further developed.
- The residents of Kirklevington have expressed their view that to preserve the village's unique character it is essential to preserve the village envelope,
- Providing a shop will not work, the one we had closed years ago like many other village shops. How could it compete with supermarkets? Who would take it on?
- No footpath network as suggested, just the footpath along the busy A67, 1 ½ miles to Healaugh Park, 2 miles to the train station and Conyers School, 2 ½ to Yarm and the Health Centre. The chronic overloading with traffic makes this road unpleasant and dangerous for walking and cycling.
- The important strategic wildlife corridor which enables the movement of large mammals not only between the Leven and the Tees but also between the North Yorks Moors and the Pennines will be diminished.
- Increasing urbanisation fragments natural habitat and poses an ever increasing threat to biodiversity.
- Concerns over safety of school children walking to school due to existing and future traffic problems if this goes ahead,
- There is a danger that Forest Lane will become a 'ratrun'.
- Additional traffic will also make the access from the A167 to Forest Lane more dangerous.
- The proposed access points into the new development cause serious concerns. The access from/to Pump Lane is proposed on the exit from a tight left hand bend adjacent to the old Vicarage where there is a high hedge seriously restriction lines of sight for drivers using Pump Lane and those exiting the development. The proposed entrance/exit point is within the one-way system, approximately 25metres from the no-entry signs. Some individuals who may contravene the no-entry presenting an obvious danger to other road users.
- The proposed access point from the A67 is located approximately 80metres south of the current exit/entry point with Kirk Road/Pump Lane. This exit/entrance is too close to the speed limit change [National/40mph] signs. Furthermore, the junction is to be a conventional T-junction controlled by give-way markings with the A67 being the primary road. The lines of site from this point are restricted by a high hedgerow bordering farmland on the bend from the direction of Yarm and a bend in the road from the direction of the A19/Crathorne. With vehicles travelling at up to 60mph or almost 27 metres per second [assuming the speed restriction is adhered to] very little time is afforded to driver's wishing to turn right out of the village towards the A19/Crathorne.
- Concerns of open space / village green next to A67 where fast moving vehicles travel,

- 91% of residents who attended the public consultation were against this development.
- There is no demonstrable economic benefit to the local community apart from possibly the local pub.
- The 22 "affordable homes" are all bungalows which have an inherent higher value - obviously not aimed at the first time buyer.
- 98/145 (over two-thirds) of the proposed houses are four or five bedroomed "executive" homes. This, together with the description of bungalows as "affordable" housing, supports the view that this proposal is aiming to maximise profit from exploiting a green field site, thus attracting residents from outside the area, rather than contribute to the Council's commitment to increase the useful housing supply. It cannot be "considered to meet the identified housing need" (7.36).
- Concerns over the sustainability statement submitted, Cycling and walking opportunities are not realistic due to distance and nature of roads.
- litter problem
- Concerns over accuracy of ecological survey, more ponds in locality, barriers to newts as suggested in report not believed to be barriers. Changing the flow of surface water will result in areas drying out thereby affecting habitat.
- Accelerated drainage flow will reach the River Leven scouring the ditches and gaining sediment load. No consideration of these issues has been taken in either the ecology or drainage reports for this application, given the fact that the Leven is one of the 11 E A's priority salmon rivers affected by silt deposition The Leven is the subject of a water quality improvement project involving DEFRA, the EA and the Tees Rivers Trust.
- The ecology report of bird species utilising the site notes only 2 Red and 1 Amber Category species. Local observations in 2015 have shown 5 more Red and 3 more Amber species. The report sidesteps any mitigation and biodiversity enhancement measures, thus leaving these requirements (Section 11 of the NPPF) to some future unspecified detailed design. Loss of habitat of certain Red Category farmland species cannot be mitigated by the customary soft landscaped plantings. The requirement for open farmland for breeding is crucial - eg Grey Partridge, Linnet and Yellowhammer which utilise the site. The so called " wildlife corridor" proffered, is merely a strip of land around a public right of way. A proper wildlife corridor joins habitats. This is not one, as it ends in St Martin's Way! Any future housing plans, given the density proposed, leaves little scope for any meaningful mitigation- merely some cosmetic soft landscaping, which is not the same thing.
- One of the benefits of living in Kirklevington is being able to walk along the public footpath across the fields, which is beneficial for myself, my children and their grandparents.
- The Parochial Church Council of the Church of Saint Martin and Saint Hilary note the proposed new development and in particular the plan to drain land adjacent to Pump Lane, across the road from the churchyard. The information relating to the drainage does not appear to include any reference to the impact of this upon the Church of Saint Martin and Saint Hilary. Any such impact does not therefore appear to have been analysed by the Developer. The Parochial Church Council therefore wishes to object to the planning proposal on the grounds that the intended drainage could have a damaging effect upon the fabric and churchyard of our centuries old 'Grade 2 star' listed church.
- The view of Kirklevington village, approaching on the A67 from the A19 is a defining and delightful characteristic: - the majestic row of Poplar trees at the edge of the school field, the adjacent fields and hedgerows, topped in the background by the church spire. A new development will change this lovely sight forever.
- Security concerns if there are going to be cut-through's and a linear park surrounding the development as it could allow easy access to existing gardens and housing especially for those houses that back on to the field which poses a risk to the children who play in these gardens as well as providing an opportunity for other criminal activity.
- This development will knock value of properties in the area due to loss privacy.
- Question the wisdom of developing usable farm land, we know there are growing pressures on food supply security, as a country we are also in the process of deciding our future in

Europe so should we be developing farm land that could be used to produce crops / graze animals on?

- The developer's history and heritage is heavily weighted to brick making based on a name on a tithe map and a reference to brick burning .The historic landscape south of the Hall Garth , Great Hall Close and the Church with a row of ponds and curved field boundaries as seen on the 1894 map Page 12 and 13 of Kirklevington Revisited ,Written by Kirklevington Research Group published by Stockton Council 1985 indicates early medieval settlement. We have no knowledge of the site of the brick burning in Kirklevington in 1721 further research is required ,ref. Durham record office D/St/E2/2/3. Early brick making should it exist within the proposed development area, is of archaeological importance, also possibly in respect to a mansion house listed in historic records. Two other archaeological sites are yet to be found, the site of houses and closes belonging to Guisborough Priory demolished in the 1439 by Peter Tomlynson, chaplain. and Reference to the Curate's cottage being ruinous.
- Housing only, will decrease the sustainability as it increases traffic and puts pressure on the NHS ,Council services and police in this peripheral area..
- There is no provision for extra capacity at the Yarm Medical Centre. The Morley Carr, Green Lane and other developments will all put extra strain on GP provision when they are completed. The long waiting time for GP appointments is already an issue locally.
- The area of the site is a feeding area for large flocks of winter thrushes, namely redwings and fieldfares.
- The developer quotes The Kirklevington Community Plan. Planning Officers and the Planning Committee should also take due consideration of the plan and the desires of the residents of Kirklevington. Residents were not against development but wanted small in fill developments within the village envelope and in the area allocated by the existing Local Plan.
- A shop was considered to be of benefit and one of the actions taken after the publication of the Plan was to assess if the use of Mobile Shops would be viable up to date this has not been found to be viable.
- The village school is only sustainable because of the influx of pupils from outside the village. The influx of children from the new development may reduce the number of children from outside the village. However the developer fails to take into account the effect of the children generated by the developments at Morley Carr, Green Lane and Tall Trees. It is highly likely that a substantial number of children from those developments will attend Kirklevington School.

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

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.

Local Planning Policy

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

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

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

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

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

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

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.

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.

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

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.

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

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

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.

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.

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

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

Saved Policy EN13 of the adopted Stockton on Tees Local Plan

Development outside the limits to development may be permitted where:

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

(v) It is a small scale facility for tourism.

Saved Policy EN28 of the adopted Stockton on Tees Local Plan

Development which is likely to detract from the setting of a listed building will not be permitted.
Saved Policy EN30 of the adopted Stockton on Tees Local Plan

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

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

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

Saved Policy HO3 of the adopted Stockton on Tees Local Plan

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

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

Saved Policy S15 of Alteration No 1 of the adopted Stockton on Tees Local Plan

Planning permission will be granted for new development or limited extensions for small scale retail use outside the Centres listed in Policy S1 provided that :

- i) the proposal is within defined settlement limits, and
- ii) the facility is intended to serve local needs only, being of a scale appropriate to the locality and being within walking distance of residential areas, and
- iii) the proposal would not give rise to any adverse effect on the amenity of neighbouring properties or on the character of the area, and
- iv) the proposal would not adversely undermine the vitality and viability of any village shop or retail Centre as listed in Policy S1

Within major new residential and employment developments, where no similar facilities exist within reasonable walking distance, developers will be expected to provide an element of convenience retail development at a scale to be agreed by negotiation.

MATERIAL PLANNING CONSIDERATIONS

The material planning considerations of this application are primarily the principle of development and sustainability, the scale of proposed development and its impact on its surroundings, the Impacts on residential amenity and surrounding uses, the Impact on local heritage assets including archaeology, Flood Risk and Drainage (surface and foul), Contamination and pollution, Ecology and Biodiversity.

Principle of development and sustainability

8. The application site is located on the south side of Kirklevington, outside of the 'Limits of Development as defined under saved Local Plan Policy EN13. Further to this, housing allocation Policy CS7 advises that there will be no new housing allocations in the rural areas of the borough whilst emerging Policy SP2 within the Regeneration and Environment Local Plan (Publication Draft) seeks to re-define limits of developments for settlements and prioritise housing provision. Emerging policy also shows this proposed development site

as being outside of the limits of development and indicates that the majority of rural housing need will be met within the conurbation and via infill rural housing development that respects the character and density of villages and that it will be supported within sustainable villages as identified in the latest Planning the Future of Rural Villages study. The latest update to the villages study indicates Kirklevington as being an unsustainable location for new infill development.

9. Notwithstanding these matters of policy guidance, the National Planning Policy Framework (para 49) indicates that relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority is unable to demonstrate a five year supply of deliverable housing sites. In view of this, the locating aspects of Policy EN13 (limits of development) and CS7 as well as SP2 are unable to be relied upon in decision making currently in view of the Local Planning Authority being unable to demonstrate a deliverable 5 year housing supply.
10. Para 49 of the NPPF also advises that housing applications should be considered in the context of the presumption in favour of sustainable development. In view of this, in considering the principle of residential development on the site, the main thrust of weight needs to be balanced against whether the site is in a sustainable location.
11. The NPPF advises at para.7 that there are three dimensions to sustainable development, an economic, social and environmental role. The economic role is more about land allocation and providing a strong and competitive economy. The social role relates to support for a strong, vibrant and healthy community by the provision of housing to meet the needs of present and future generations and creating a high quality built environment accessible to local services. The environmental role relates to the protection and enhancement of the natural, built and historic environment.
12. The proposed housing will make a reasonable contribution to the provision deliverable housing, and is therefore considered to meet part of the social strand of sustainable development. With regards to creating a built environment accessible to local services, considerations need to take into account the sites proximity to services. There are a limited amount of services within the village which led to the village being re-categorised within the council's villages study. There is a school, community centre; children's play area, public house, church and car repair garage. Importantly, there is no daily regular bus service which is a point on which led to the village being re-categorised from sustainable place for new residential development to be an unsustainable location for new development within the council's villages study.
13. The National Planning Policy Framework (NPPF paragraph 17), requires that; planning should "*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations **which are or can be made sustainable***". These objectives are reflected in Policy CS2 of the Stockton-on-Tees Core Strategy Development Plan Document which requires, amongst other things, that transport choice is widened by ensuring that all new developments are well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes to provide alternatives to the use of all private vehicles. Core Strategy Development Plan Policy CS6 which supports the provision of services which contribute to the sustainability of communities .
14. In making the application, the applicant has put forward opportunities to expand services within the village with the aim of making it sufficiently sustainable to support new residential development. Given that the village already has a number of services, and given that the site is not a significant distance from the southern edge of Yarm where there is a shopping parade, secondary school and train station, this approach is considered to align with

national policy. The submission initially made indicative provision of a number of facilities including tennis courts and bowling green, however, following dialogue with officers, and in part as detailed within comments received from local residents, some of these facilities were perceived to not be 'in demand'.

- 15.** Officers considered the key to providing a sustainable location for development would be a daily and regular bus service. The applicant has agreed to provide such for a 5 year period and this is detailed within the Heads of Terms and would form part of any Section 106 Agreement. In addition, the applicant has sought to provide a large area of open space within the site, informal footpaths, a building to be used as a small scale shop, a parking / drop off area for general use although which could be used by parents dropping children at the adjacent school as well as a multi-use games area for children. The combination of these services are considered to provide for the future occupants of the scheme and would also be able to be used by existing residents and combine with the other services within the village. Subject to adequate provision, which is detailed within the Heads of Terms, it is considered that Kirklevington would be sufficiently sustainable to support new residential development.
- 16.** A number of objectors have highlighted the walking route to services at Yarm as being undesirable and partly due to it being unlit and due to traffic speeds and an excessive distance with limited cycling opportunity. These points are one element of sustainability and in view of the provision of a bus service to serve the village as well as the other provisions mentioned, it is considered on a whole that the scheme reasonably addresses the issue of sustainability.
- 17.** The village currently benefits from a bus service, which operates two days of the week, however due to the limited frequency of the service it does allow residents to rely on public transport 5 / 6 days a week and therefore move away from car borne journeys. Some resident's objections are based on the lack of an existing regular bus service for the village and this scheme has sought to address this via the provision of providing a 5 year, funded bus service to operate 6 days a week. This is a requirement to makes the village sufficiently sustainable to warrant additional residential development. Highways, Transport and Environment have advised that the cost (estimated at (£775,000) associated with this for a 5 year period is to be met by the developer and should be secured through a s106 Agreement. This is detailed within the Heads of Terms.
- 18.** A number of concerns have been raised including the suggestion that the village does not need to expand, that there are sufficient properties for sale within the area, that the site is out-with the limits of development, that the site is in an unsustainable location for new development, that there is already sufficient housing on the southern side of Yarm been approved. Whilst noted, the council needs to support new housing provision unless there are material planning considerations which indicate significant harm and which are sufficient to outweigh the lack of a deliverable 5 year supply of housing. Officers consider the above to be an assessment balancing relevant material planning considerations.
- 19.** Kirklevington and Castleavington have compiled and issued a Community Plan (2012) which although not having the weight of a Neighbourhood Plan in planning terms, serves to outline some of the aspirations and issues within the Parish. The Plan has been considered in this context. The Community Plan indicates a number of desires for the parish, one of which is for Kirklevington to remain its current size. Whilst this proposal would be contrary to that desire, for the reasons given above, it is considered that this desire would not outweigh the need to provide housing within the Borough as required by the National Planning Policy Framework. Other considerations of the Community Plan are detailed further within this report.

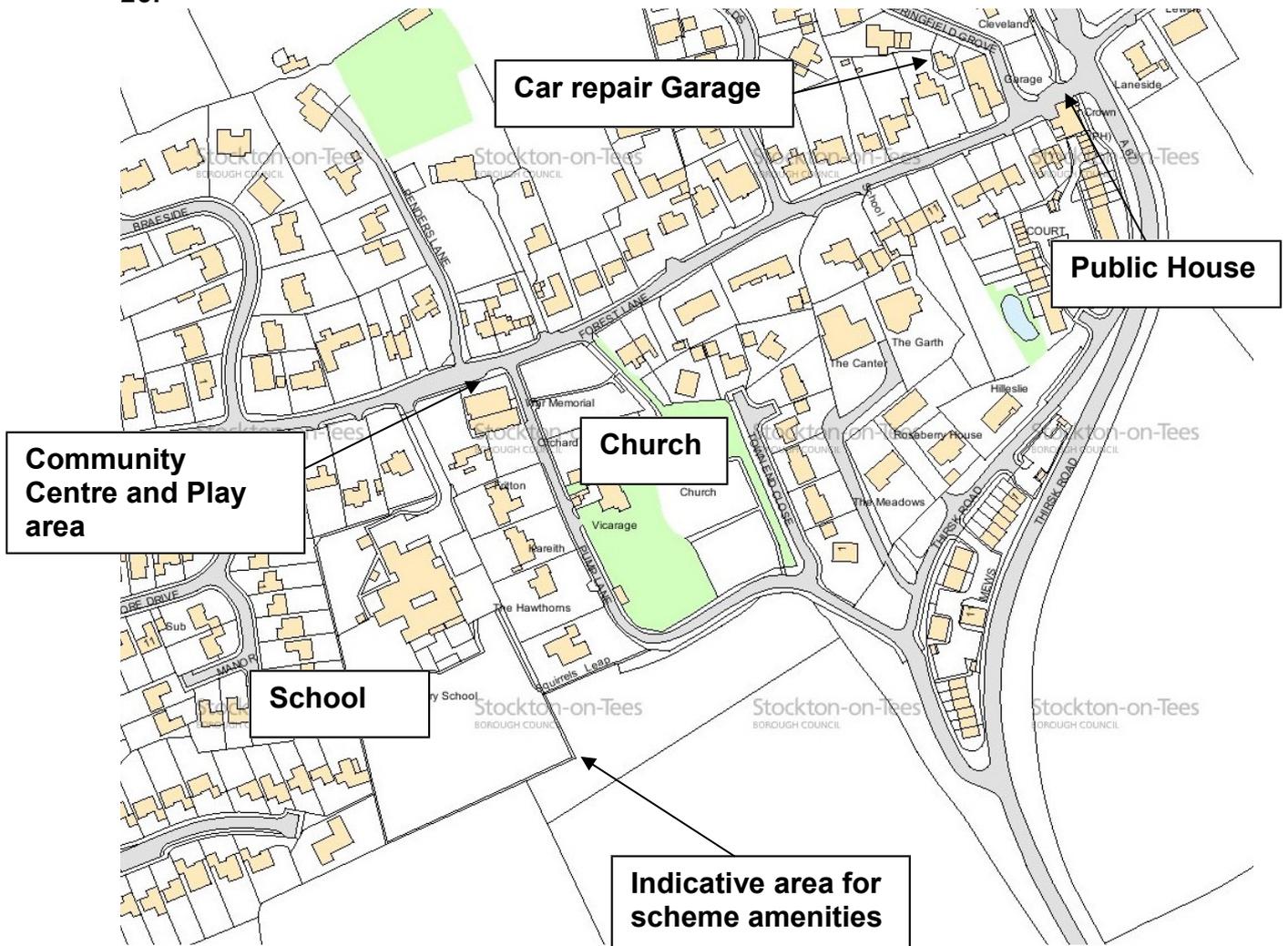
20. Concerns have been raised that this would set a precedent for further residential development within the village. Whilst noted, each application is considered on its own merits at the time of submission taking into account relevant policies.
21. Objectors have suggested development should be on brownfield land which was a partial requirement of Stockton's Core Strategy Development Plan Policy although this is no longer able to be relied upon given the NPPF's silencing of local plan policies which guide house-building in the instance of the authority being unable to demonstrate a deliverable 5 year supply of housing.

Scale of proposed development and impact on surroundings

22. The proposal is located on the southern edge of the village and would be visible from areas to the south. The site is not in or adjacent to any land / landscape which has a landscape designation on it. Highways, Transport and Environment have considered the indicative layout and consider that the scheme demonstrates that notwithstanding the scheme, glimpsed views of the historic church across the green will be retained with a number of properties facing directly onto the green reminiscent of a traditional village green. It is recognised that the layout is relatively dense and would need further consideration at reserved matters stage and that it is appropriate for the development to not have a uniform grain or generic house types but instead be more bespoke to better reflect its location on the edge of a village.
23. The site layout shows structural buffer planning to the south and west edges of the site and internal landscape / communal routes which would all need to form part of considerations at reserved matters stage. This will again be critical in achieving a high quality scheme and all of these matters would be detailed at reserved matter stage. In order to fully understand the layout, the benefit of existing trees and other similar matters, a condition is recommended to prevent any tree or hedge loss until the landscaping reserved matters have been agreed.
24. A number of objections have been raised suggesting the way in which the development is proposed would not integrate well with the existing village, having only a one way street (Pump Lane) giving access from the village into this area. Whilst noted, there should be limited need to drive from the site into the village and through the provision of a hub of community facilities which would themselves be in close proximity to some of the existing facilities (school, community centre, play area and church), it is considered that the scheme would reasonably integrate with the village. Plan 1 below highlights the position of existing facilities and the indicative location of facilities proposed by this application.

Plan 1 – Village Facilities

25.



26. Further objection is raised on grounds that the scheme would represent development of the village sprawling into the open countryside and would therefore be out of place with the village. The proposal would represent an extension to the southern side of the village and would extend across a notable extent of its southern boundary. The village is contained to the east and west by the A67 and the Railway Line which are defined edges to the built form of the village. This proposed extension is illustratively showing a structural tree belt on the southern side of the development and set built form back behind a large area of open space, both of which would serve to create a buffer between the extended village and the open countryside which is considered would prevent the site appearing like unplanned sprawl of building into the open countryside.

Highways related matters

27. The application is outline, with all matters reserved, including matters of access. As such, there are no detailed access matters to assess at this stage. Notwithstanding this, officers have required a level of information to be submitted to demonstrate a suitable access can be reasonably achieved and to demonstrate that traffic associated with the development can, where necessary, mitigate its impact on matters of congestion and highway safety. Importantly, in determining this application, the Local Planning Authority cannot require the development to mitigate existing problems, only mitigate its own impact.

- 28.** The indicative details submitted show a new vehicular access into the site off the A67 and an internal road layout to serve the development which connects up to the existing Pump Lane which is partly one way leading from the existing village. The application has been supported by a Transport assessment and Stage 1 Road Safety Audit.
- 29.** Concerns have been raised over highways safety in general terms as well as specifically in relation to the proposed access and the resultant additional traffic onto the network in this part of the Borough and the impacts of additional traffic in Kirklevington.
- 30.** In considering the impact of traffic, anticipated traffic levels have been considered and have been fed into the council's Yarm and Ingleby Barwick Aimsun Model which models additional traffic onto the existing network and which has been constructed to include committed developments within this part of the Borough. This is intended to provide a more informed understanding of additional traffic generated by proposed schemes. The Highways, Transport and Environment Team have reviewed this information and have advised that the results show that there would be limited practical difference of traffic impact on the local road network as a result of this proposal. This is in part due to the development having a limited contribution to the overall future development proposals within the area that the model covers. In this instance, it is accepted that the highways network within the vicinity of Yarm, would suffer some congestion with some traffic from this site heading north in the peak period, however, it cannot be demonstrated, within the context of NPPF, that the residual cumulative impact of the proposed development on the highways network would be severe.
- 31.** In terms of the impact on the Strategic Road Network, Highways England initially issued a Holding Direction on the application due to lack of information in relation to certain matters. Having reconsidered their position and considered revised details, in particular with respect to the A19 Crathorne Interchange Junction, they have lifted their holding direction and now have no objection to the scheme. As part of this assessment, some off-site highway works are required to mitigate impact of additional traffic which would be a further improvement (to ones already required as part of other development/s) at the A19/A67 Crathorne interchange to allow additional queue lengths and prevent traffic backing into the carriageway and affecting the free flow of traffic. This would be required prior to commencement and subject to a Stage 2 Road Safety Audit. The provision of off-site highway works are detailed within the Heads of Terms and would form part of a Section 106 Agreement.
- 32.** Local objection has highlighted the matter of the A19 being closed from time to time due to accidents or similar which results in significant traffic congestion on the local network including along the A67 and through Yarm. Whilst noted, this is a circumstance for the closure of any major road and must be considered as an infrequent unplanned event. The local road network is not designed to take all the traffic from a major highway such as the A19 and some delay and congestion will occur on the local network in such circumstances. Therefore, this is considered to not affect the considerations of the traffic impact of the proposed development on the local network.
- 33.** With regards to the indicative access into the site and internal road layout the Highways, Transport and Environment Team consider the details to adequately demonstrate that the development can achieve suitable access and suitable visibility in interests of highway safety. A road safety audit would be required as part of the reserved matters submissions relative to the access provision. Consideration has been given to local concern in relation to the swan neck within the A67 at Kirklevington, however, in view of adequate access being achievable out onto the A67, this matter is considered to raise no adverse impact on highway safety in relation to this scheme.

34. Some objectors have advised that the proposed car park is not required whilst others have suggested parking on Forest Land and Pump Lane which is largely related to the operation of the school, creates problems of navigating vehicles along these routes. The proposal would result in the provision of a car park near to the school and the indicative community provisions. It is considered that this car park would give the ability to improve the problems currently experienced by improving the free flow of traffic and improving highway safety, without undue impacts on its surroundings.
35. A number of concerns have been raised about the ability for residents to walk to Yarm, suggesting it is too far, along an unlit path and being inherently unsafe, particularly for school children going to the local secondary schools. Whilst noted, this is an existing formal route. In addition, consideration is that the provision of a 5 year daily service will assist this travel.
36. The applicant has submitted a Travel Plan in support of the proposed application which is considered to be broadly acceptable although objectors have suggested it is not fit for purpose. The agreement of a final Travel Plan would need to be based on the final layout and a condition is recommended to achieve this.
37. The Highways Transport and Environment Manager has advised that a Construction Management Plan should be agreed prior to construction commencing which was partly requested by the Environmental Health Manager. A condition is recommended to address this in order to limit the impacts of the construction phase of development on the wider area.
38. A number of comments have been received in relation to the additional tanker traffic that will be required to serve the existing sewage works in Ash Grove, suggesting these are problematic and should not be increased. Northumbrian Water have advised that in a normal week, the sewage treatment works would have 3 tanker visits (Mon, Wed and Fri) and have advised that due to the recent works, that the additional 145 houses proposed by this application, there would be no increase in tanker visits. In view of there being no notable increase it is considered that tanker traffic would raise no notable concerns.

Impacts on residential amenity and surrounding uses

39. Residents and others have raised concerns over impacts on privacy and amenity for existing residents, loss of views, loss of peace and quiet and reduction in property values. Whilst loss of value in property is not a material planning consideration, the other points raised are material to decision making. Being outline with all matters reserved, the plans submitted are indicative only. Initial plans were submitted showing a relatively uniform linear layout which was indicated by the developer as being an option to maximise retention of the views from existing properties. Whilst this may have been the case, officers had some concerns over the layout in view of the less formal layout of the village. As such, although indicative, officers requested an alternative indicative layout plan be provided to demonstrate that the numbers of properties being proposed could be reasonably achieved.
40. A revised indicative layout has been provided and this shows a more organic layout can be achieved. The indicative plans show landscape buffers and spacing from the rear of existing properties and landscape buffering from the more open agricultural land to the south and west which would assist in breaking up views of and partially screen the development from the wider area.
41. The proposal demonstrates relatively significant distances can be achieved between existing and proposed properties which would prevent undue impacts on privacy and amenity for existing residents. Although objection has been raised about loss of views over

fields, loss of view is not a material planning consideration. Notwithstanding this, properties would be a notable distance from existing properties.

42. It is considered that adequate demonstration has been made that the proposed development could be accommodated on the site although the detailed layout and design would require approval via reserved matters application/s were this outline permission to be granted.
43. Whilst concerns and objections have been raised about the impacts of construction traffic, this is an accepted part of any development and as such does not raise particular concern. The councils Environmental Health Manager has requested a condition be imposed to limit the construction working hours to the site and in view of there being other residential properties in the wider area and a Church nearby, this is considered reasonable. A condition is recommended accordingly.
44. Concern is raised over the impacts of the proposed sports provisions on existing residents due to their use and through the congregation of youths etc. The proposed community facilities / leisure opportunities are relatively informal and would be unlikely to generate any significance amount of concentrated use and therefore have limited impacts on residential amenity. Subject to appropriate siting and design of these provisions at reserved matters stage it is considered that impacts would not be significant.

Impact on local heritage assets including archaeology

45. Saved Local Plan Policy EN28 does not support development which would be likely to detract from the setting of a Listed Building whilst paragraph 129 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) with the intention to avoid or minimise conflict between the heritage asset's conservation and any aspect of a proposal.
46. The development is located on agricultural land with no above ground built features of any merit. The site is however in close proximity to the Church of St Martin. The Church is a Grade II* listed building and consideration has to be given as to whether or not the proposal would affect the setting of the listed church and the magnitude of impact given the significance of the listed building and its setting.
47. The Church is indicated as being built in 1882/3 in a decorated gothic style, being built on the site of and retaining the chancel and southern doorway of a 12th Century Church. The Church is located at a high point on the southern side of Kirklevington, (see photograph 1 below) having a small graveyard to the south of the church building. The church is considered to have a local significance rather than a regional or national significance.
48. There are some trees and a hedge within the church grounds and these serve to frame the view of the church from the south. Modern housing lies to the east and south east of the site. Historic information submitted details that the more historic core of the housing within the village lies to the north of the church and the more modern housing developments have partially enveloped the church to the east and west. The southern aspect of the church has remained largely unaffected in terms of built form.
49. The proposed development is shown on the indicative plans as being to the western part of the site, with an area of green space lying to the south side of the church. The Church is also set on the opposing side of the highway to the proposed development. The initially submitted plans have been amended to show a road around the green space with housing and other built form behind it which assists in retaining an open aspect for the church and

which will allow views from the south to be retained for the Church (see plan 2 below). The Church has a clearly defined boundary with Pump Lane partially creating the setting of the church. The closest part of built development (as shown on the indicative plan) is approximately 120m from the Church. It is considered that the Church is of local significance and its setting is created by an open aspect to the south and its raised position from the land to the south. This proposed development will allow the church to retain its open southern aspect and would not be of a height which would dominate the immediate surroundings although it is accepted that the land to the south of the church would transform from being agricultural in appearance to being formally maintained open space although this change is considered to not be significant. In view of these matters, it is considered that the magnitude of impact on the setting of the listed building would be particularly limited, and given the local significance of the church, that the overall impact is low. The proposal is considered to accord with relevant local and national planning policy on this matter.

50. Historic England (formerly English Heritage) were consulted on the application and have advised that they do not wish to offer any comments on this occasion and that the application should be determined in accordance with national and local policy guidance, and on the basis of Stockton Borough's own specialist conservation advice.
51. The council's Conservation Officer has considered the proposed scheme and considers the proposed development (although outline) intends to leave the area directly to the south of the church undeveloped through creation of a village green, thereby allowing key views of the church to be respected and the current open aspect of the buildings outlook retained. It is suggested that the open space should 'fan' out rather than being a straight, fixed line. It is further suggested that the scale and form of the development will be crucial to ensure no adverse impact on the setting of the church. These details would be considered and addressed at reserved matters stage.

Photograph 1 – View of Church from Pump Lane



Plan 2– Indicative layout showing relationship of development to St Martins Church



52. With regards to archaeology, the application was supported by a desk based archaeological assessment and followed up by a field evaluation. This highlighted the possibility for a number of heritage assets being present within the application site although indicates that these are most likely to be present in the areas indicated as open space. It is recognised that some built development would be over archaeologically sensitive land and due consideration needs to be taken on this. The main feature is a former brick making industry and associated clay pits which may have later formed ponds. Other field features are mentioned although are suggested as being of insufficient merit to warrant preservation taking into account damage through past agricultural operations on the site.
53. Tees Archaeology have considered the submitted information and accept its findings which indicate that the site lies outside of the historic core of the medieval settlement at Kirklevington, in an area that would have been used as an open field system. The desk based assessment report has identified the remnants of a post-medieval brick industry within the site and although the remains of the brick making kilns are of archaeological interest Tees Archaeology consider they would not be of sufficient significance as to warrant physical preservation. Other geophysical anomalies found are consistent with backfilled clay pits and fragmentary field boundaries. Little else is apparent. Tees Archaeology suggest it would be reasonable for the local authority to require the developer to archaeologically record the remains identified and make the results publicly accessible and for archaeological monitoring during topsoil stripping across the site as a whole in order that any previously unrecorded archaeological remains that may not have shown on the geophysical survey can be properly recorded. In view of the sites position and the results

of the desk based survey work, this is considered to be a suitable approach and a condition is recommended to address this matter.

Foul Drainage

- 54.** A number of objectors have raised concerns over the ability for the existing sewage system in the village to deal with additional flows, having concerns that a new system of pipes would be required and that this would cause substantial disruption. There is also concern from residents and others that the sewage treatment works (STW) cannot cope with the additional demand citing works to the STW having been on going for several years in an attempt to address current problems. There is also concern from residents about lack of ability for the existing system to cope with additional demand, will result in sewage backing up in the system.
- 55.** Northumbrian Water have advised that the STW has been recently upgraded and that it will be able to take anticipated flows. It has also been indicated that if any problems arise with the existing pipework that this will be their responsibility. In view of these matters, it is considered that suitable foul water drainage can be achieved.

Flood risk and surface water

- 56.** Objections have been raised against the proposed development with regard to there being existing flooding issues in gardens abutting the site, standing water within the application site and flooding events happening elsewhere within the village and that this scheme will worsen the current situation. Concerns have also been raised that there is a high water table on this site and that this proposal will result in the water table being raised further affecting properties and the stability of the listed church.
- 57.** In policy terms, all development is required to be located on a sequential basis away from land which is designated in Flood Zones 2 and 3 where propensity for flood events is higher. The application site lies within Flood Zone 1 and is in accordance with this policy requirement in principle. Notwithstanding being located within Flood Zone 1 (sites at least risk from flooding), any development is also required by policy to mitigate its impacts and prevent the increase to the risk of flooding elsewhere. This would normally be undertaken by assessing the 'green field run off rate' of water from a site and require the new development, to not exceed this run off rate, thereby making the current situation no worse. This can often require on site attenuation of water. Highways, Transport and Environment have considered the submitted details and advised that additional information is required in order to detail the drainage philosophy and discharge point for surface water. This proposal is an outline proposal and the site layout is not being fixed by this proposal, as such, the drainage layout and other details could not be defined at this stage. A condition is therefore recommended to gain agreement for the necessary surface water drainage information.
- 58.** In respect to the concerns over the scheme affecting the water table, it is accepted that the provision of development with a formal piped network of surface water drainage can reduce the amount of water falling to ground and thereby reduce existing problems. The drainage solution for the proposed development must mimic the existing greenfield runoff rates, the drainage system provided will manage surface water runoff generated by the increase in impermeable surface, because discharge rate will be restricted to existing greenfield runoff rates and on site storage will be required, to prevent the increase in runoff in to the water course. Flow rates of surface water into the water course will remain the same as they are now, the only change will be that it will discharge over a longer period of time. Land owners have responsibilities to maintain watercourses and powers exist to ensure these responsibilities are undertaken. Notwithstanding this, the action of land raising can result in

the water from a site draining into adjacent areas which would give reason for concern. As such a condition is recommended to control land levels associated with the scheme in order to prevent any long term flood related issues for either existing or future occupiers.

59. Objection has been raised suggesting that the proposed development will raise the water table and will affect the ability to undertake burials in the local church yard. In view of the considerations detailed above, there is no expectation that the water table would rise as a result of this proposal and as such this matter raises no concern.

Contamination and pollution

60. The application has been supported by a preliminary risk assessment in relation to contamination. This document indicates that there is no significant risk of contamination from identifiable primary sources as a result of previous site uses although recognises that there is clearly potential for made ground at the position of former ponds/clay pits on the site. The survey indicates that whilst unlikely to have any significance, further works would be beneficial in understanding the fill material.
61. Objectors to the scheme have raised concerns over contamination and the overall matter of contamination has been considered by the Councils Environmental Health Manager. It is accepted that there is no significant risk of contamination as result of the previous site use which is that of farm land. Notwithstanding this, the Environmental Health Manager has requested a condition is imposed requiring a limited phase II intrusive investigation of the backfilled pond areas to be undertaken and an appropriate condition is recommended to address this.
62. The Environmental Health Officer has requested conditions be imposed in respect to demolition and dust emissions and open burning of waste during the construction phase. In view of the sites proximity to existing housing at Kirk Levington and the associated school which abut the sites northern boundary, conditions to address these have been recommended.
63. The Environment Agency have advised that the site is located on a principal aquifer which is a sensitive controlled waters receptor which could be impacted by any contamination at the site were it to occur. The Environment Agency have advised that the developer should address risks to controlled waters from contamination at the site and follow the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination. The development is largely concentrated on the surface of the land and it is not anticipated that the development would result in specific contamination of the water environment. Notwithstanding this, based on the advice of the Environment agency, a condition is recommended to address this.

Ecology and Biodiversity

64. The majority of the site is active farm land and currently being grazed and within the site there are trees, hedgerows and other landscape features. The proposed development of the site would result in the loss of this existing ground and would replace it with a mix of residential properties and curtilages and green open space including landscaped corridors. A number of objections have been received relating to the impacts on ecology and wildlife and the loss of habitat and wildlife corridors. These include the suggestion that there are ponds near to the site which have not been surveyed which have newt populations and that there are bird species using the site in addition to those detailed within the ecological report. Objectors also suggest that other wildlife such as hedgehogs; foxes and deer use the site.

65. The application has been supported by an ecological statement and a Great Crested Newt / Bat report. Survey work was undertaken including on ponds and ditches within the locality, and was undertaken using different methods and at appropriate times of the year. A survey of existing records was also undertaken. The report details that the site offers habitat and foraging for protected species including Great crested Newts and Bats and that Great Crested Newts exist in ponds within 500m of the site. The survey does however indicate that there was no evidence of Great Crested Newts although recognised bat foraging takes place within the site, mainly associated with the hedgerows.
66. The survey recommends retaining hedgerows and landscape features where possible and using native planting within the scheme to maintain provision as well as including bat bricks within properties. This would in part make provision for the habitat / foraging that would be lost. Some of the foraging for bats, deer, and the other wildlife mentioned would in part be offset to the wider areas although the provision of native species within the site will allow this development to provide some habitat.
67. It is considered particularly important to protect wildlife through ensuring features such as hedgerows and trees are not removed until a suitable ecology and biodiversity mitigation scheme has been provided. Mitigation also suggests ground works being undertaken outside March to August (unless nesting checks are carried out) to prevent impacts on birds. The mitigation also suggests a pre start survey is undertaken for badger on the site. These are considered to be reflect a suitable approach to preventing undue impacts on protected species and subject to re-provision of habitat, creation of biodiversity opportunity and wildlife corridors, is considered would prevent any significant or undue loss. Conditions are recommended to address these matters.

Housing Provisions

68. The application seeks permission for up to 145 dwellings on the site. Officers would expect a variety of unit sizes and types within the development including bungalows. The council's Head of Housing has raised no objections to the scheme and advised that there is an annual shortfall of affordable housing within the borough, the majority of which are for smaller properties. In view of the scale of the proposed development, as required by Core strategy Policy 8 (CS8) there would need to be a 15-20% provision of affordable housing within the site, which the applicant has advised would be met. The Head of Housing has discussed and agreed in principle the nature of affordable housing should the application be approved. In order to achieve suitable provision of affordable housing the requirement would be placed within the Section 106 Agreement as detailed within the Heads of Terms.
69. Objectors have suggested that Kirklevington is not a suitable place for affordable housing due to their being no public transport although this does not take account of the funded bus service achieved through this proposal. In view of the level of services within the village currently, those proposed and the links to the wider area, it is considered that affordable housing could be suitable provided and serviced within the village.

Considerations for future occupiers

70. The indicative layout shows access roads, property layout, private rear gardens and significant amounts of communal space. It is therefore considered that the indicative details reasonably demonstrate that the site is of a size capable of accommodating the development proposed whilst achieving adequate amenity for future residents.
71. The Councils Environmental Health Unit has advised that there is a need to protect future residents from potential traffic noise associated with the nearby A67. There is no reason to

suggest adequate noise controls could not be achieved and a condition is recommended to address this

72. The Councils Environmental Health Unit Manager has requested controls be imposed to prevent undue impacts from the communal facilities including the shop and suggested that the hours of use be controlled. The nature of facilities proposed has been amended from the initial submission and apart from the shop are not controlled in terms of opening hours (Multi Use Games Area and car park etc). The proposed shop is a local provision and is likely to be in close proximity to residential properties. As such a control over the opening hours has been recommended which will prevent the use of the shop from causing undue impacts at times when future residents should be able to expect high levels of amenity. The servicing hours for the retail premises would similarly be controlled by condition.

Planning Obligations

73. Housing proposals need to be considered against Core Strategy Development Plan Policy CS11 in respect to planning obligations towards highways infrastructure, (as already detailed in the highways section of this report) and in respect to the provision of open space, recreation and landscaping. In view of the sites position, it is considered any provision needs to be either on site or within the village to best serve the demands of the scheme. The indicative layout details open space, formal recreation and informal green space and is considered can adequately provide these on site. This is detailed within the Heads of Terms and would be delivered at the appropriate time to meet demand.

74. Although a number of objections have been received suggesting a shop, play area, village green and bus service are not required, not viable and some are in part already provided, the Kirklevington and Castlelevington Parish Community Plan (2012) advises that, amongst other things, actions should be taken;

- to investigate the scope to provide play equipment for older children;
- whether there is sufficient support for the provision of a retail food service and how it might be provided;
- to address parking problems along Forest Land and in the vicinity of the school,
- to assess the level of support for the acquisition of land for a playing field;
- The Community Plan also indicates there is interest in a more frequent bus service.

75. This proposal is seeking to make Kirklevington a sustainable location for new residential development and in doing so is seeking to provide a number of facilities. The proposal includes for the provision of a building to be used for retailing (village shop), provide a car park able to be used in relation to school drop off and collection, provide a large area of green space and provide play equipment for older children. It is therefore considered that the proposal would meet some of the aspirations detailed within the Community Plan. In essence, this proposal provides a mechanism of delivery for a number of community facilities that do not currently exist in the same form or to the same extent and will also add numbers to the village which should assist with the long term viability of both existing and proposed community facilities. It is considered appropriate to limit the proposed shop to mainly retail food in order to ensure it serves the immediate locality rather than having a less relevant offer and significantly wider draw. A condition is recommended to address this.

76. 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 at this point in time, there is uncertainty in respect of available places for both primary and secondary school places within the surrounding schools to meet the demands of this

scheme. There has been relatively significant levels of housing approved and commenced within the wider area and therefore, in view of this, a contribution is required in relation to the provision of school places in line with the Heads of Terms. The Councils education contribution is calculated at the time of the development commences and whether a payment is required is based on the capacity within schools at that time.

77. This site lies immediately adjacent to the school and there is potential opportunity for the development of the site to assist with the expansion of Kirklevington School site should this be desirable. Whilst no requirement of this has been highlighted at this present time by officers, the applicant has requested that the Section 106 Contribution of education provision be sufficiently flexible to allow provision to be made for expanding the school site were officers to deem this to be suitable. This is considered to be reasonable and is detailed within the Heads of Terms.

Other Matters

78. In accordance with the requirements of Core Strategy Policy CS3(1) major residential development such as this would need to be built to Level 4 of the Code for sustainable homes and would also require renewables to be provided on site to ensure 10% of total predicted energy requirements would be provided on site. Code Construction is now getting phased out from the planning system and no such requirement is considered necessary in this regard although a condition is recommended relating to provision of renewables or equivalent.

79. Objection has been raised over the loss of agricultural land, however, in view of the sites position adjacent to the settlement and the lack of a deliverable 5 year supply of housing, it is considered that the loss would not outweigh the national policy support for housing.

80. Public Footpath no.16 passes through the site, leading from the southern side of St. Martins Way, through the site and on to the fields to the south of the site. The indicative site layout plan shows the footpath provision being retained and the Ramblers Association have responded to their consultation. They consider that the part of the path within the existing development has lost all the possible character of a country footpath that it may have had in the past and that to prevent this happening to the section of FP 16 within the application site, the footpath should be provided with adequate landscaping including hedges and grass verges which could encourage the growth of wild flowers etc. The indicative plans have clearly taken into account the re-provision of the path which demonstrates these principles can be achieved although any such requirements would be dealt with at reserved matters stage.

81. Northern Gas Networks have raised no objections to the scheme although advised that there may be gas apparatus in the area and recommended the developer get in touch with them. Attaching an informative to the decision is recommended which will advise the developer to make suitable contact.

82. Concern has been raised by objectors about the safety aspect of having the 'village green' open space next to the A67. Whilst noted, the open space indicatively shown is a large area of land and other opportunities for recreation exist within the site. It is anticipated at this stage that the formal play area would not be positioned close to the A67. Notwithstanding these matters, it is also expected, as with any footpath / cycleway/ play area / open space that children using them are supervised as necessary by their parents / carers etc. There is no specific circumstance relative to this scheme which suggests special measures are required.

CONCLUSION

83. The proposal is considered to be suitable and sustainable in principle in view of the lack of a deliverable 5 year supply of housing and in view of the proposal providing a number of community / service related provisions which would improve the sustainability of the village sufficiently for it to be considered as a settlement suitable to accommodate residential development. The proposal is therefore considered to have significant economic, social and environmental benefits
84. The proposal would not unduly impact on heritage assets, existing amenity and privacy or adjoining land uses to degree which would warrant refusal whilst would provide green space and green corridors and landscaping via reserved matters applications which would support ecology and bio-diversity. It is also considered that the scheme can achieve adequate access and mitigate its impact on the highway network and would not increase risk of flooding and would therefore be in accordance with the National Planning Policy Framework and constitutes sustainable development.

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

WARD AND WARD COUNCILLORS

Ward	Yarm
Ward Councillor	Councillor Ben Houchen
Ward Councillor	Councillor Elsi Hampton
Ward Councillor	Councillor Julia Whitehill

IMPLICATIONS

Financial Implications:

There are no known financial implications in dealing with this application.

Environmental Implications:

The proposed development would result in the loss of green fields and re-provide some of the residential site as green open space. The proposal will therefore result in visual impacts and in physical impacts, all of which have been considered. The physical impacts were considered would not be significantly detrimental and some re-provision of wildlife corridors and other environmental provision would be beneficial.

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 view of persons commenting on the application have been taken into account.

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. It is considered that suitable safe access can be achieved into the site and within the site and there are no known safety implications for the community.

Background Papers

Stockton on Tees Local Plan Adopted 1997

Core Strategy – 2010

Emerging

Regeneration and Environment Local Plan – Publication February 2015.

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD2 – Open Space, Recreation and Landscaping

SPD3 – Parking Provision for Developments

SPD6 – Planning Obligations

SPD8 – Affordable Housing

DELEGATED

**AGENDA NO 5
PLANNING COMMITTEE**

6 JULY 2016

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

15/1643/OUT

Land South Of Kirklevington, Thirsk Road, Kirklevington

Outline application for the construction of up to 145 dwellings and associated community and sport facilities (all matters reserved)

Update Report

The council have this morning received correspondence from the National Casework Planning Unit who advise on behalf of the Secretary of State. They have advised that they have received a third party request to 'call-in' the application for the determination of the Secretary of State. The Local Authority has formally agreed to not issue a decision on the application if the committee is minded to approve the application in order to enable the Secretary of State to consider the proposal.

The description of development was amended by the applicant to remove Access as a detailed matter and for this to become a reserved matter which takes into account the internal layout of the development and highway not being fixed by this outline application. The description of development within the committee report has not been amended to reflect that change. Therefore, to confirm, this proposal is outline only with all matters reserved. The second condition of the recommendation requires slight change to incorporate the need for access details to be submitted and agreed as a reserved matter.

A detailed letter has been issued to committee members from SK Transport who are acting as consultants to the Kirklevington and Castleleavington Parish Council. Although many of the details are addressed within the main report for the sake of clarity, certain points raised and officers considerations on these points are detailed below;

Question was raised about which developments have been included within the junction assessments. These are set out in the Transport Assessment at Section 6.4 as being Morley Carr Farm, Greens Lane, Tall Trees and Mount Leven. At the point at which the assessment of Crathorne Interchange was undertaken two sites at Ingleby were at Appeal and at that time were not committed developments and their impact on Crathorne was not assessed. Both have been granted on appeal. Notwithstanding this, any traffic associated with the Ingleby appeal sites wishing to access the A19 northbound would not do so via Kirklevington due to much closer connections onto the A19 and as such, would not have a material effect on the operational capacity of the proposed junction works at Crathorne. This has been demonstrated by a re-assessment.

Question has been raised about the proposed mitigation for the Crathorne Interchange, going from a roundabout to a Priority Right Turn. A roundabout had been proposed on the back of an earlier housing approval in Yarm (Greens Lane) although this has since been amended to be a Priority Right Turn with ghost Island, which was approved as a non-material amendment.

Question has been raised about the suitability of the proposed Protected Right Turn at Crathorne however this has been designed in accordance with DMRB, having a deceleration length of 80 m and a turning length of 55 m which is capable of accommodating the maximum queue of 11 vehicles as is being required during the peak period.

Question has been raised in relation to the Junction capacity assessment for the required works at Crathorne. Both Stockton Borough Council and Highways England are satisfied that the proposed mitigation measure at Crathorne Interchange which would be required by S106 Agreement is fit for purpose and the impacts of the development on the interchange can be mitigated.

Question has been raised about the submitted modeling in applicants the Transport Assessment and the decision to omit modeling the Green Lane/A67 roundabout junction known as Crossroads Roundabout. An assessment of this junction was undertaken as a part of the Transport Assessment submitted in support of the approved Green Lane residential development which also required the developer to undertake improvement works at this location to increase the exiting capacity of the roundabout. That assessment demonstrated that, with the proposed mitigation scheme, the A67 approach to the (Crossroads) roundabout from Kirklevington would operate well within capacity during the AM peak period. The trips using this junction from this current proposal at Kirklevington equate to an additional vehicle every 2 minutes during the AM peak period which can be accommodated within the existing spare capacity on this arm of the roundabout and the impact would not be severe. Although the impact on the junction was not assessed within the applicants TA, the applicant has undertaken a '*strategic*' assessment of this junction via the Yarm and Ingleby Barwick AISUM Model (YIBAM) which considers the journey times along key routes within the model. The results from the YIBAM generally show that there would be limited practical difference in terms of traffic impact on the local road network with or without the proposed development. This is because the development would be a small proportion of both the population and the overall future development proposals within the YIBAM area.

Objection is raised highlighting the view that the access details into the site should not be left as a reserved matter but should instead be dealt with in detail at this point in time and that there is a lack of modelling to support this. Whilst noted, and possibly beneficial to view all details of a scheme at once, legislation allows for outline application to be submitted with some or all matters reserved, as is the case with this application. Indicative details have been submitted showing a position of an access and its layout which officers consider reasonably demonstrates that a safe access for the site can be achieved. As such, the LPA is not in a position to insist on access being detailed in full as part of this application. Concern has further been raised about the design of the indicative junction relative to traffic speeds. The initial 'indicative' junction was believed to be unsuitable by officers and a revised indicative junction type is now shown. Based on the indicative details and the width of the highways verge on the western side of the A67 (approx. 5m) the required visibility splay can be achieved.

Question is raised over the internal highway arrangements relative to an existing one way system and the need for stopping up of sections of highway. Whilst noted, these will be part of the detailed considerations of any reserved matters submission were outline permission to be granted.

Question has been raised whether all highway works can be undertaken within land owned by the application / Local Highways Authority. Officers believe this can be achieved.

Question is raised over the quality of the submitted Travel Plan and suggestion that there is a lack of appropriate SMART travel plan targets in the document. A full Travel Plan is to be secured by planning condition for approval prior to occupation of the development and this will include appropriate SMART targets.

Conclusion and recommendation

The additional comments received do not alter the recommendation within the main report other than in respect to confirming within the description of development and the recommended condition 2, that the scheme is outline with all matters reserved and access is a reserved matter.

Appendices

Appendix 1: Site Location Plan



Appendix 2: Indicative Site Layout Plan



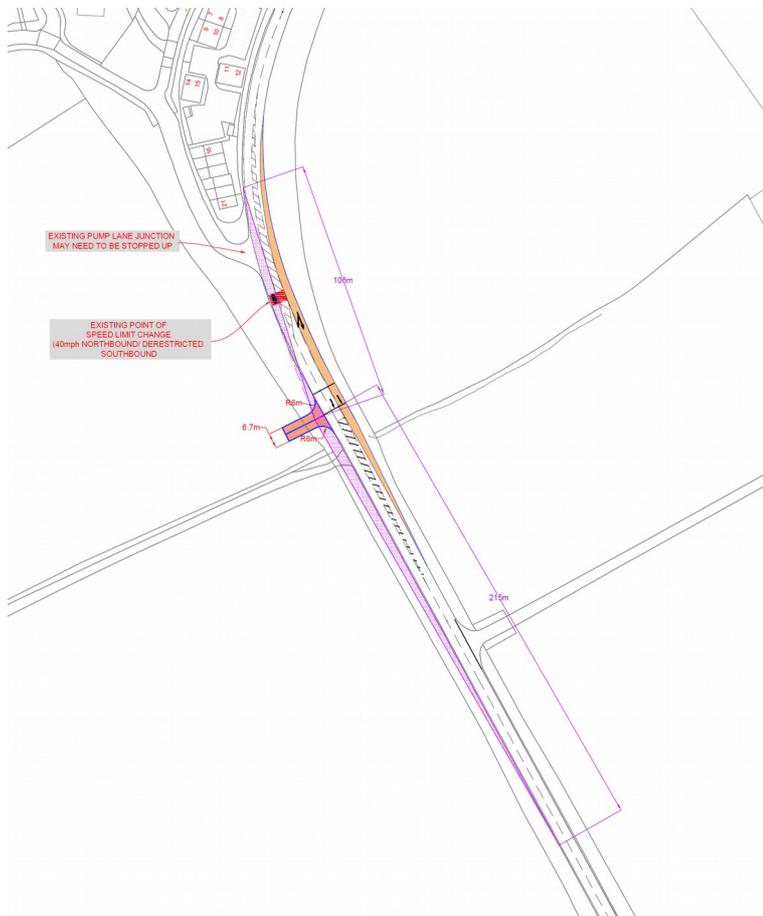
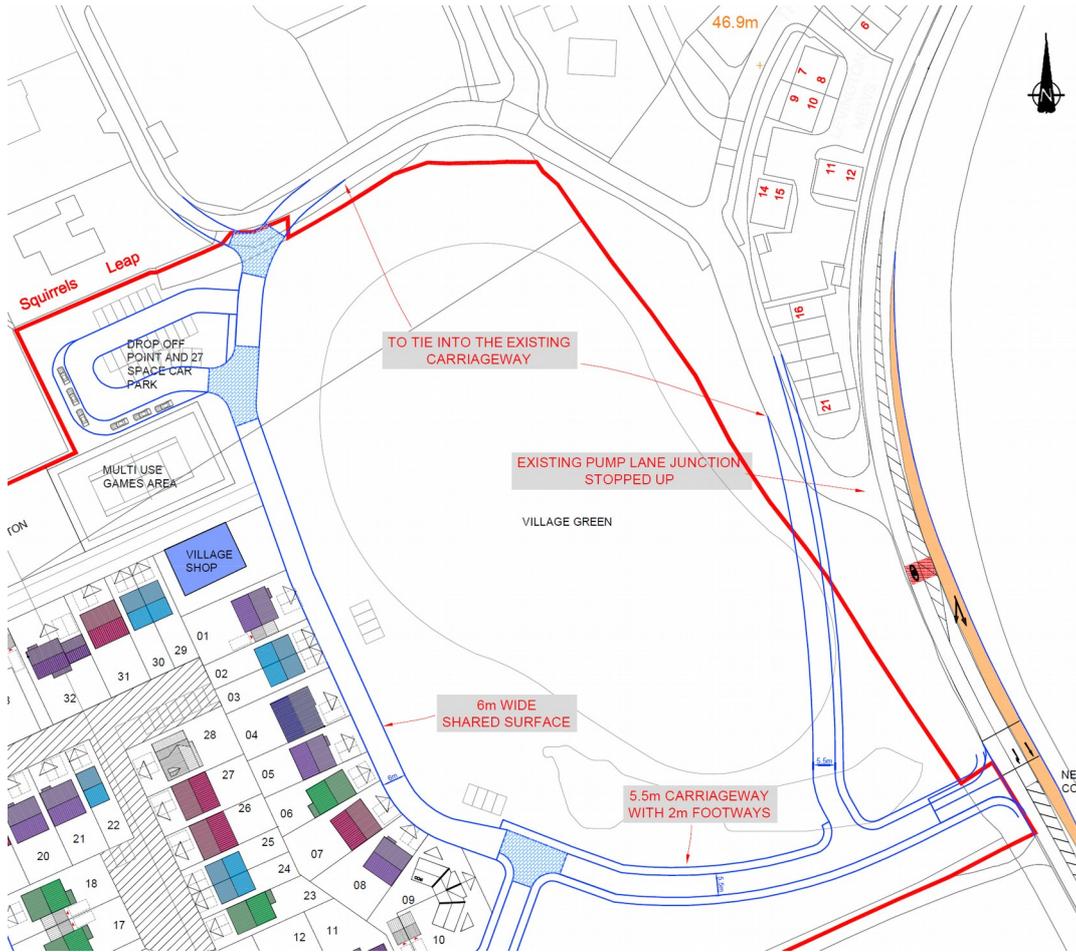
Western part of the site (Indicative)

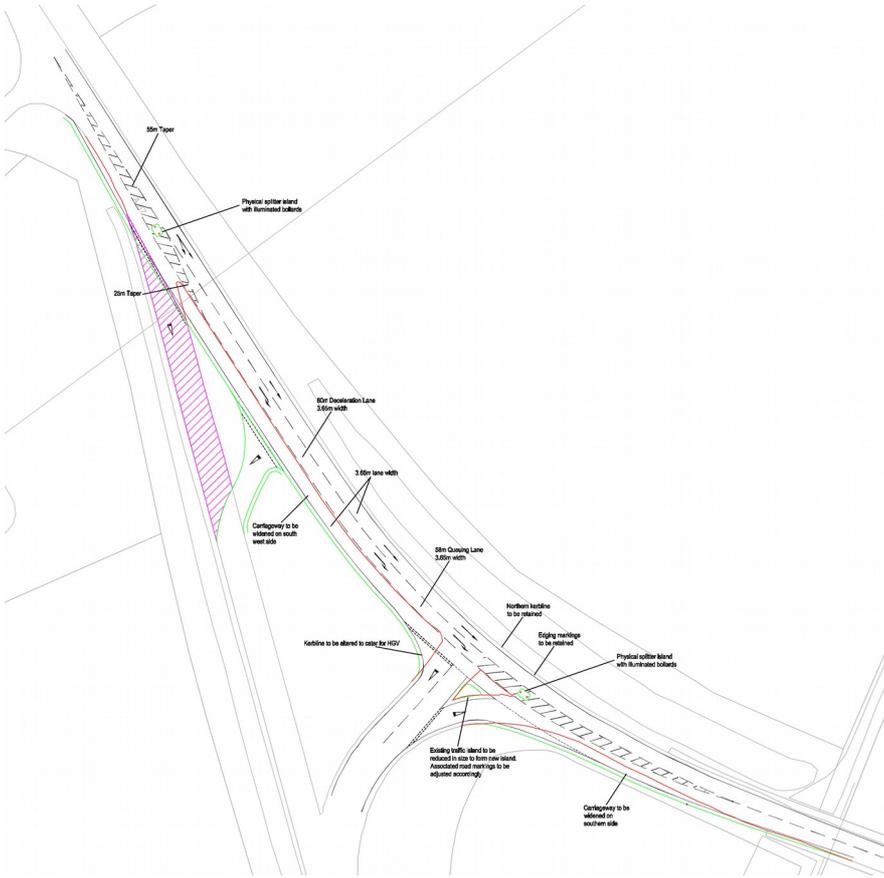


Eastern part of the site (Indicative)



Appendix 3: Indicative highway works





DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

27 July 2016

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

16/1029/FUL

Fairfield Garage, 318 Bishopton Road West, Stockton-on-Tees

Proposed extension to rear, raising of roof height, installation of retaining wall and 1.8m high timber fence to northern and western boundary

Expiry Date 29 July 2016

SUMMARY

This application seeks permission for the erection of an extension to the rear and raising the roof height of the commercial garage building at Fairfield Garage, 318 Bishopton Road West, Stockton on Tees. It is also proposed to install a new boundary enclosure.

The Highways, Transport and Environment Team raises no objection to the proposal in highway or landscape and visual terms. The Environmental Health Unit has no objections subject to the construction hours being restricted.

Following neighbour consultation there have been 11 letters of objection. The objections principally relate to an increase in the working hours, however this is not for consideration as part of this application. Other concerns relate to noise and parking issues.

In view of the material planning considerations and the commercial nature of the existing site, it is considered the proposed works will not lead to an unacceptable loss of residential amenity, will not have a detrimental visual impact and are acceptable in highway terms.

RECOMMENDATION

That planning application 16/1029/FUL be approved subject to the following conditions and informatives below;

01 Approved plans

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

Plan Reference Number	Date on Plan
SBC0001	19 April 2016
PLAN/4	13 May 2016
PLAN/5	13 May 2016
PLAN/2 REV B	22 June 2016

Reason: To define the consent.

02. Materials

Notwithstanding any description of the materials in the application no development shall be commenced until samples of materials to be used in the construction works hereby approved have been approved in writing by the Local Planning Authority.

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

03. Hours of construction

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

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.

INFORMATIVES

Informative: Working Practices

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

SITE AND SURROUNDINGS

1. The application site is an existing commercial car garage located on Bishopton Road West, Stockton on Tees. The building is set back from the highway with some parking to the front. To the eastern side of the site is a petrol station with a forecourt, shop and car wash area. To the western side is access to the rear of the garage with residential properties beyond. To the rear is a parking area that serves the garage with a residential area beyond.

PROPOSAL

2. This application seeks permission to extend the existing commercial garage to the rear, raise the roof of the building, and small retaining wall with 1.8m high fence above along the northern and western boundaries.

The proposed extension will project out to the rear by 4.04m and will span across the whole width of the property. The roof will be replaced and raised from the current maximum height when viewed from the front of 4.5m to a height of 6.0m approximately. The works will also block up a number of existing openings within the building.

A replacement timber boundary fence with a height of 1.8m is to be installed along the rear boundary and the western side boundary.

An existing container on the site has also been relocated from the north western corner to the north eastern corner of the site.

The plans show details of advertisements on the front of the buildings, the applicant is aware that a separate application seeking consent would be required for the replacement advertisements.

CONSULTATIONS

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

Environmental Health Unit

I have checked the documentation provided, and as the activities of the garage are unchanged and are to be fully enclosed, I do not think that the proposed extension will give rise to increased levels of odours or noise to local residents.

I do however note the objections regarding the proposed extension of hours, and this matter shall be considered on a separate application for variation of the planning condition.

I therefore have found no grounds for objection in principle to the development and do not think that conditions need to be imposed from an Environmental Health perspective. I would however advise the following construction hours in order to minimize the short term impact of noise upon residents.

Advisory

Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 ' 18:00Hrs on weekdays, 09:00 ' 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

Highways Transport And Environment

General Summary

Highways, Transport & Environment have no objection to the proposed extension to rear, raising of roof height, new shop front and installation of retaining wall and 1.8m high timber fence to northern and western boundary.

Highways Comments

In accordance with SPD3: Parking Provision for Developments 2011, a garage should provide 3 incurtilage car parking spaces per service/MOT bay plus 1 space per employee. The site currently has 3 bays and 3 employees requiring 12 spaces which are currently provided within the site. This proposal increases the number of bays to 6 and also increases the number of employees to 6; therefore 24 incurtilage car parking spaces are required. The submitted plan shows 23 spaces, although the parking arrangements are constrained and some spaces will be difficult to access, resulting in an under provision of 1 space which is insufficient grounds to object to the proposed development.

Landscape & Visual Comments

This proposal replaces existing timber fences on the northern and western boundaries, parts of which are in need of repair. The new fence will be set on a low retaining wall to achieve satisfactory site levels. The new fence differs slightly in style to the existing fence on the western boundary and is higher, but it will provide for a more effective screening of the garage. It is noted that some sections of the fence on the western boundary have already been erected. The new fence proposed on the northern site boundary appears to

be of a similar type and size to the existing fence. Therefore there would be no landscape and visual objection to the erection of this fence.

There are some existing small fir trees within the site that will be removed as part of the development, but these are not considered worthy of a Tree Preservation Order so there are no landscape or visual objections to their removal.

Councillors

No comments received

PUBLICITY

4. Neighbours were notified and comments received are set out below :-

Mrs Kimberley Cutler

320A Bishopton Road West Stockton-on-Tees

Having bought a new property next door to the business, less than 6 months ago, my concerns are centred around the increase in noise in the local area, and hours of work where this will be happening.

Constant use of mechanical machinery is not what I would like to hear on a Sunday or a bank holiday when myself and my husband are trying to relax.

April McCarthy

320B Bishopton Road West Stockton-on-Tees

Please accept this email as my objection to the proposed extension to rear, raising of roof height and new shop front to Fairfield Garage, 318 Bishopton Road West, Stockton-On-Tees. TS19 7LZ.

We purchased our new build property next door but one to Fairfield Garage and now are very concerned with the proposed extension which we feel should not be in a residential area. The planned increase in business hours will lead to increased noise disturbance, smells and loss of privacy which will be every day of the week.

There will be an increase in traffic accessing the garage there has already been an increase after the opening of the Nifco shop.

The parking is inadequate for the increase in staff and customers which will lead to parking on Bishopton Road West in itself a Road safety issue.

W Joynes

23 Maria Drive Stockton-on-Tees

Whilst I don't condemn anyone making a living and make good their property I do object to my outlook being changed. This is a residential area, mainly older population, who enjoy the quiet surroundings.

Raising the roof of the garage will impose on the view and privacy of our area.

I will become a noise problem, due to more vehicles passing through. It will increase pollution level and have an effect on our environment and wellbeing.

M Medd

21 Maria Drive Stockton-on-Tees

I wish to object to the application 16/1029/FUL on the grounds that this would increase the noise level to our property we are adjacent to the proposed development, the current fence between our property and the back of Fairfield garage is not an adequate sound barrier at present, if this garage increases his custom this will further increase the noise to what I believe will be an unacceptable level particularly if the garage is to open 7 days a week.

There is also a large container owned by the garage which currently set away from our property we believe this will be moved near to the rear adjacent to our property this is taller than the current fence in place and unacceptable if this is to be moved closer to us, as we are unsure what this container will be used for.

Mr Jackson

7 Maria Drive Stockton-on-Tees

I wish to object on the grounds that the MOT facility would dramatically increase the noise level to our property, we are adjacent to the proposed development.

I understand the garage will be open 7 days a week and find this totally unacceptable for our residential area. By increasing the workforce from 3 mechanics to 12 will increase the hammering and banging level 4 fold. Also I object to the removal of the fir trees as denoted on the drawings (this would allow the noise level to be increased).

Also I would like to think a TPO would apply to the fir trees.

Mrs Marie Birmingham

5 Maria Drive Stockton-on-Tees

I would like it know that I object to the proposed extension to the garage at the rear of my property. This will cause even more noise from both properties as we have noise from the actual petrol station with cars revving and music blaring plus spray from the car wash and people carrying on.

This is a residential area and I moved here for the peace and quiet. It is a lovely estate but would appear that it is to be ruined especially as this business is to extend it's working days within the actual MOT garage to Sundays and Bank Holidays. This would mean we would have no peace at all.

The extension to this business will have most impact on the rear which is Maria Drive.

I am not happy about the underhanded way this application was applied for i.e. speaking to either side bungalows and garages when in fact this has a lot more impact on the people to the rear of this property and not the front as he intends to change the entrance to the rear of this property and extend further back.

Audrey Shutt

4 Maria Drive Stockton-on-Tees

7 day a week business is not good for residential area, too much noise. The fact that they want to move the doors to the back of the garage will impact on us in Maria Drive.

Rob & Pauline Munroe

8 Maria Drive Stockton-on-Tees

We Mr & Mrs RM Munroe of 8 Maria Drive TS19 7JL wish to object to the above application on the grounds that the MOT facility would dramatically increase the noise level to our residential area .

The area of the development is surrounded by mostly bungalows which are lived in by retired people therefore the noise will disturb us all day EVERY Day as the application states trading 7 days a week, we find this totally unacceptable for the area, this development would be more suited to a trading estate type environment rather than a residential area.

We feel it will cause a lot of distress to the residents especially in our road as the units will be next to all our properties, all the residents are very upset with this proposed extension, as at the moment there are 3 mechanics employed which will be increased to 12 if the application is accepted.

With 12 mechanics hammering and banging (as this happens on a regular basis now with 3) also revving of more cars the noise level will be increased 4 fold....
Also the premises would appear to only have enough parking spaces to accommodate the staff if assuming everybody had a car (mechanics & administration staff) which would then lead to customers parking cars on the main road causing safety problems.

Mr And Mrs Morton-Davies
10 Maria Drive Stockton-on-Tees

We would like to say this area is a good residential area that is why we moved here 22 years ago. We can hear the garage when they are hitting a car part or some metal, but if they start to have a tyre bay, the sound from the machine they use to remove and fit the tyres is horrendous and very very loud.

As for opening on a Sunday and bank holidays it's a definite no. They are open 6 days a week. Surely we are entitled to one quiet day a week. Most people here are retired and at home most or all of the time.

We hear noise with 3 people working there, what it is going to be like with 12.

Mr And Mrs D Chantrell
25 Maria Drive Stockton-on-Tees

I wish to object to the application for permission to extend Fairfield Garage. I understand that the intention is to open a major MOT station and tyre bay which will be working seven days a week including bank holidays. As we only live three doors away from the garage, the noise this will create is going to be unbearable. They want to extend the workforce by another nine mechanics so it will be like living on an industrial estate instead of a quiet residential area. We were also given to understand that it is asking permission to remove fir trees which we thought would have a protection order on them. People in this area have lived here for a number of years and do not want to spend their retirement on an industrial estate.

Mrs Linda Brown
223 Bishopton Road West Stockton-on-Tees
OBJECTION

- Not had a verbal consultation with anyone. Which sides have had the consultation, obviously not at the front of the building
- This is a residential area not a trading estate
- Noise levels, the noise echoes which can be heard at the front as well as the back
- Extended working days and hours
- Opening on Sundays and Bank holidays
- The large advertisements at the front of the build which is concerning. Will these will be illuminated which reflects on the properties opposite.

PLANNING POLICY

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

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

National Planning Policy Framework

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.

Paragraph 21: Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:

- set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;

Paragraph 123: Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts²⁷ on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts²⁷ on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;²⁸ and
- 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.

Local Planning Policy

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

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

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

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.

MATERIAL PLANNING CONSIDERATIONS

7. The main considerations of this application are the impact on the street scene and character of the area, the impact on the amenity of neighbouring occupiers and the impact on highway safety.

Impact on the street scene and character of the area

8. The visual appearance of the garage will change in both size and material. The roof will be higher and the material changed from painted brick to metal cladding. It is considered the proposed changes to the building are visually acceptable and are in keeping with the existing commercial nature of the building and the wider site. The building will remain set back from the highway by approximately 12.0m and despite having a larger overall appearance it is considered the building will not form an incongruous feature within the street scene.
9. It will be conditioned that the external materials are submitted and agreed to ensure visual appearance will be acceptable.
10. The proposed boundary fencing will replace the existing boundary treatment on site. The Highways, Transport and Environment Team has stated there would be no landscape and visual objection to the erection of this fence. It is considered that due to the location and size of the replacement fencing there will not be a detrimental visual impact.
11. The container that has been relocated within the site remains adjacent to the rear boundary, it is now at the north eastern corner rather than the north western corner. The new location is a slightly higher area of the site however the proposed fencing will provide some screening and it will still be set back from the highway to the rear (Maria Drive) by the grass verge. Taking the above into account, it is considered the visual impact of the container is not significant enough to warrant refusal of the application.
12. Objectors have raised concerns over the removal of fir trees within the site however these are not considered worthy of a Tree Preservation Order and there are no landscape or visual objections to their removal.

Impact on the amenity of neighbouring occupiers

13. 11 objections from surrounding properties have been received to the application. The issues raised and the impact on residential amenity will be considered below.
14. The NPPF seeks to strike a balance between protecting residential amenity and allowing businesses to grow. Paragraph 123 states that planning decisions should avoid significant

levels of noise from new developments from adversely impacting on health and quality of life whilst Paragraph 21 of the NPPF also seeks to “support existing business sectors, taking account of whether they are expanding or contracting; be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances”

15. The works to the building will increase its height and its length. It is considered that due to the location of the building and the siting of neighbouring properties the building will not have a significant overshadowing or overbearing impact.
16. Furthermore, the installation of the fence in the proposed location is considered acceptable in terms of overshadowing and overbearing.
17. With regard to the impact on privacy, the proposal will reduce the number of openings within the building and the fence will help to ensure any overlooking impact is acceptable, specifically along the western boundary where the existing enclosure is lower than the proposed.
18. Within the application the applicant indicated the opening hours would be extended to include Sundays and Bank Holidays. The majority of the objectors raise concerns regarding this; however this is not the subject of this application. The applicant has submitted an application to vary the hours to only include extended working on a Saturday and this will be considered separately.
19. The applicant also indicated that staff numbers would increase to 12, this has since been amended to 5 or 6. Objectors have raised concern regarding the impact of increased business activity on noise from the premises and also the impact of moving the vehicle entrance to the building from the side to the rear elevation. The Environmental Health Unit has provided comments and states no objection to the proposal as the building is to be fully enclosed, and it is not considered the proposed extension will give rise to increased levels of odours or noise to local residents. A condition regarding the hours of construction has been recommended and is detailed earlier in this report.
20. Some concern was raised regarding the tyre fitting element of the business. This is a new aspect of work within the garage however there are no controls on the original planning consent that restrict this type of work and tyre fitting is within the same use class as vehicles repairs and therefore planning consent is not required to add this element of work to the business.
21. Concern has been raised regarding the location of the container in relation to No.21 Maria Drive. The site plan shows the container will be located away from this property which is where it currently stands and therefore will not be brought any closer to this neighbouring property. The container is set away from other residential properties, the side of No.12 Maria Drive faces the location of the container however the highway separates this property from the site. It is considered that due to the location of the container there is not significant detrimental impact on the amenity of neighbouring occupiers.
22. Given the above considerations and subject to the requisite planning conditions, it is considered that on balance the scheme would not result in a significant adverse impact on the amenity of existing and future occupiers of the surrounding neighbouring properties in terms of noise disturbance. The proposal is therefore considered to satisfy the provisions of the NPPF.

23. Overall, taking into account that the existing site is used as a commercial vehicle repair garage and the extent of the proposed changes to the building, it is considered there will be no significant detrimental impact on the amenity of neighbouring occupiers.

Impact on highway safety

24. Objections have stated concern over parking within the site.

25. The site will require 24 spaces, a revised site plan indicating spaces was submitted and the Highways, Transport and Environment Team states the submitted plan shows 23 spaces, although the parking arrangements are constrained and some spaces will be difficult to access, resulting in an under provision of 1 space, these are insufficient grounds to object to the proposed development.

CONCLUSION

26. It is recommended that the application be Approved with Conditions for the reason(s) specified above.

Director of Economic Growth and Development Services
Contact Officer Miss Ruth Hindmarch Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward **Fairfield**

Ward Councillor(s) **Councillor W Woodhead**

Ward Councillor(s) **Councillor M Perry**

IMPLICATIONS

Financial Implications: N/A

Environmental Implications: As per report

Human Rights Implications:

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

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

Background Papers

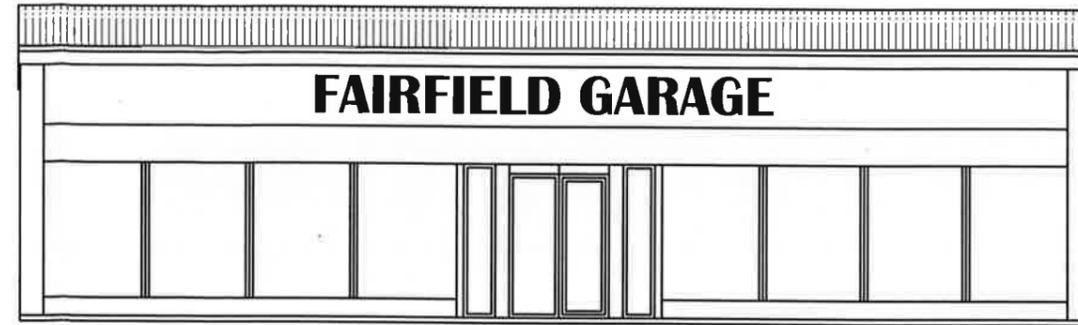
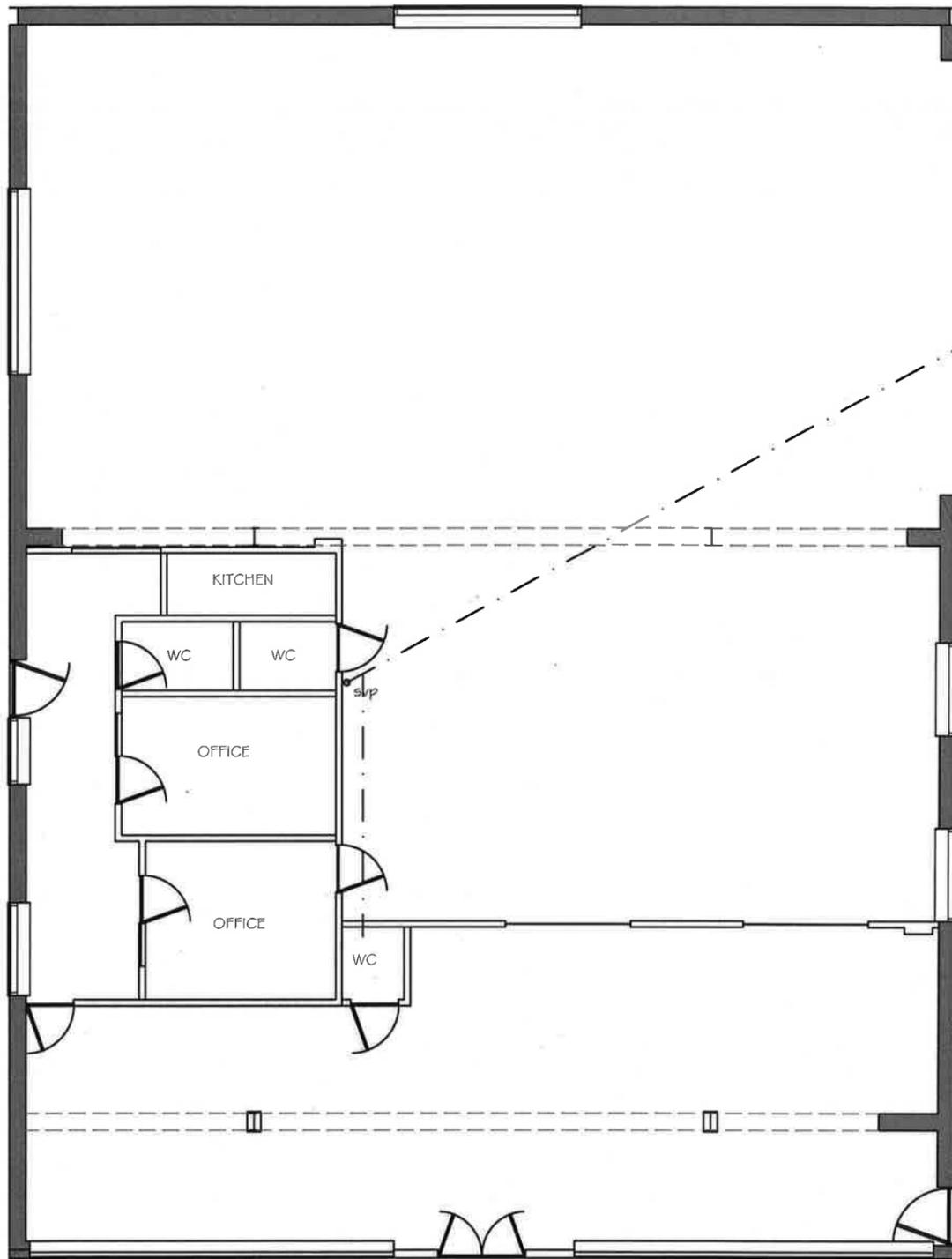
The Town and Country Planning Act 1990.

National Planning Policy Framework

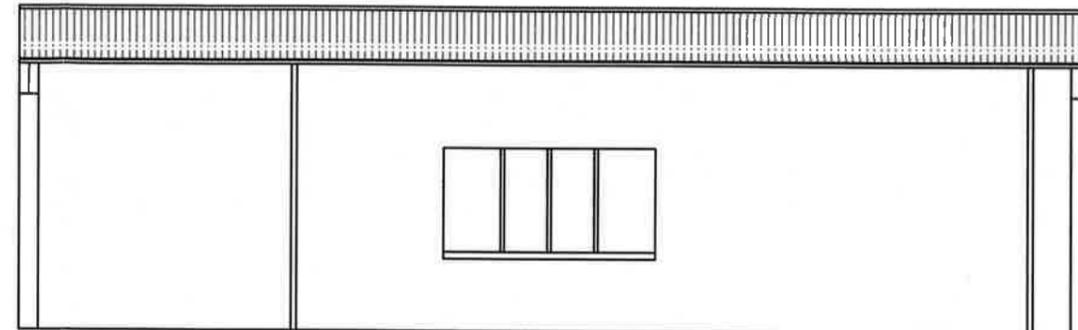
Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Regeneration and Environment Local Plan – Publication February 2015.

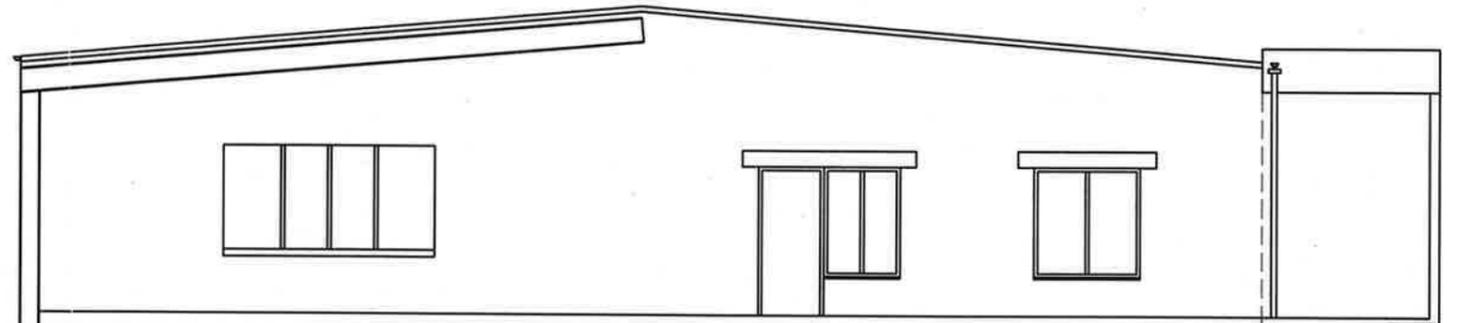


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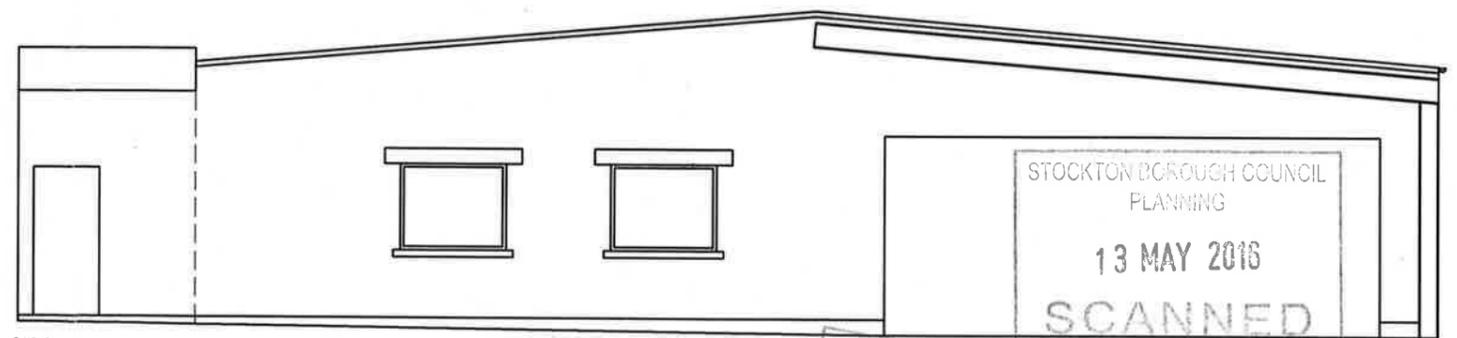


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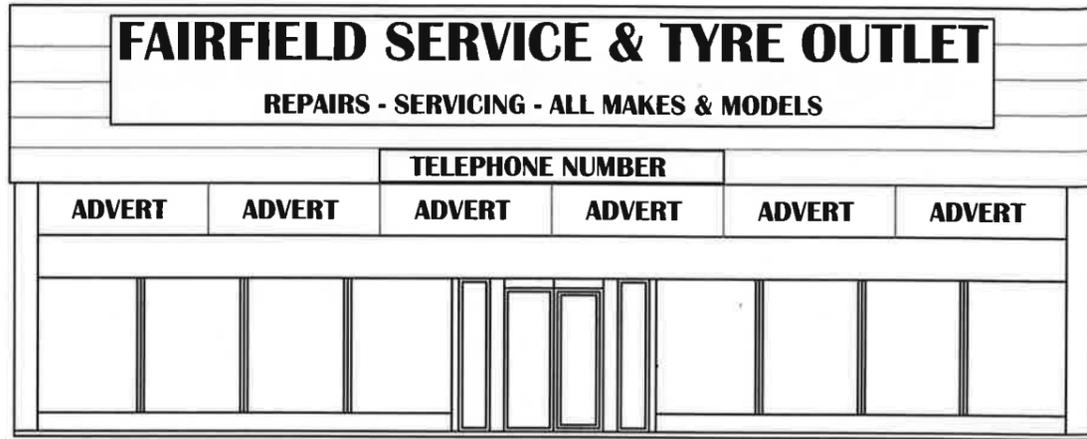
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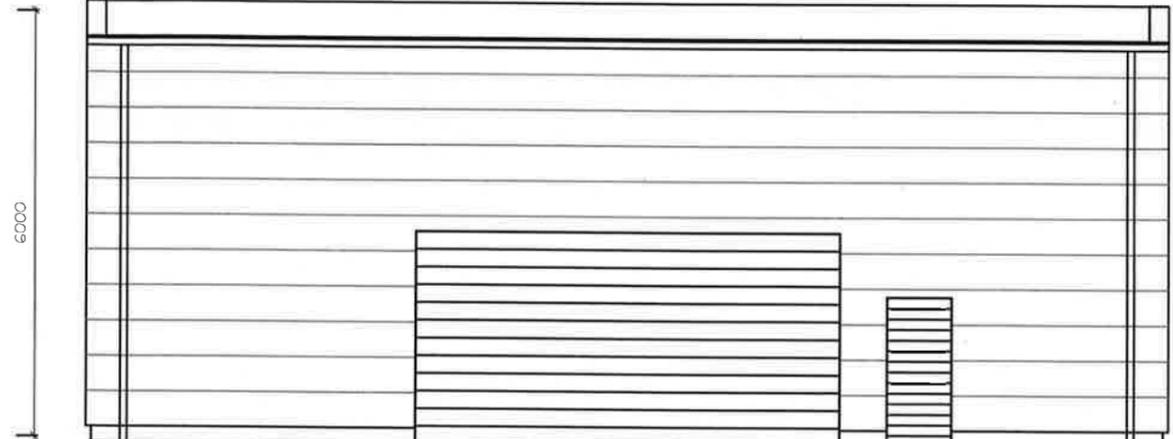
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STOCKTON BOROUGH COUNCIL
PLANNING
13 MAY 2016
DATE RECEIVED

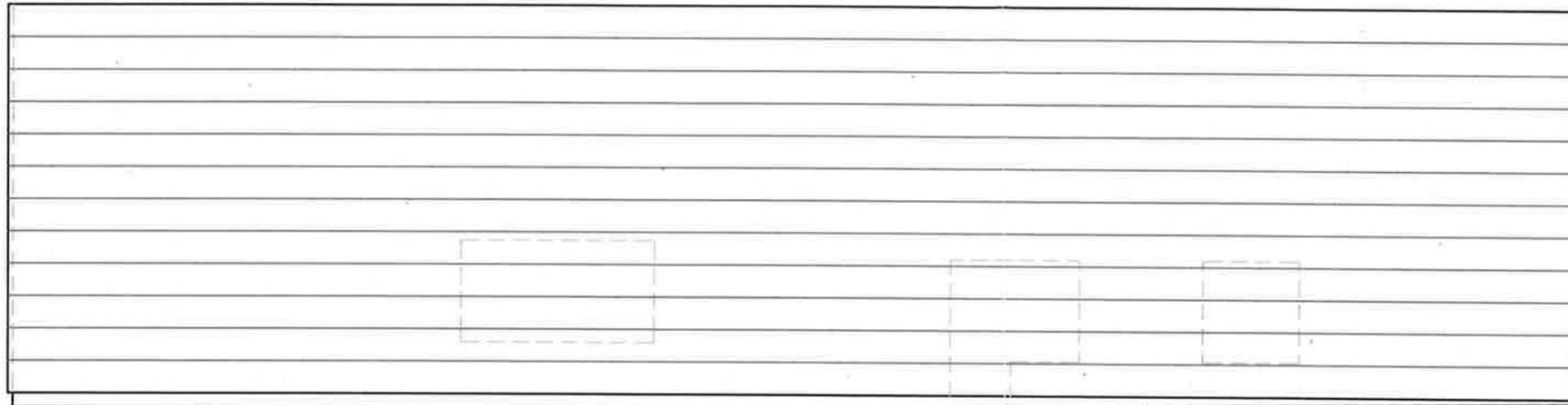
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Client	Existing Elevations & Floor Plan	
Scale	SCALE 1:100	
Date	DATE Oct 2015	
Design	DRGNO Plan/3/-	



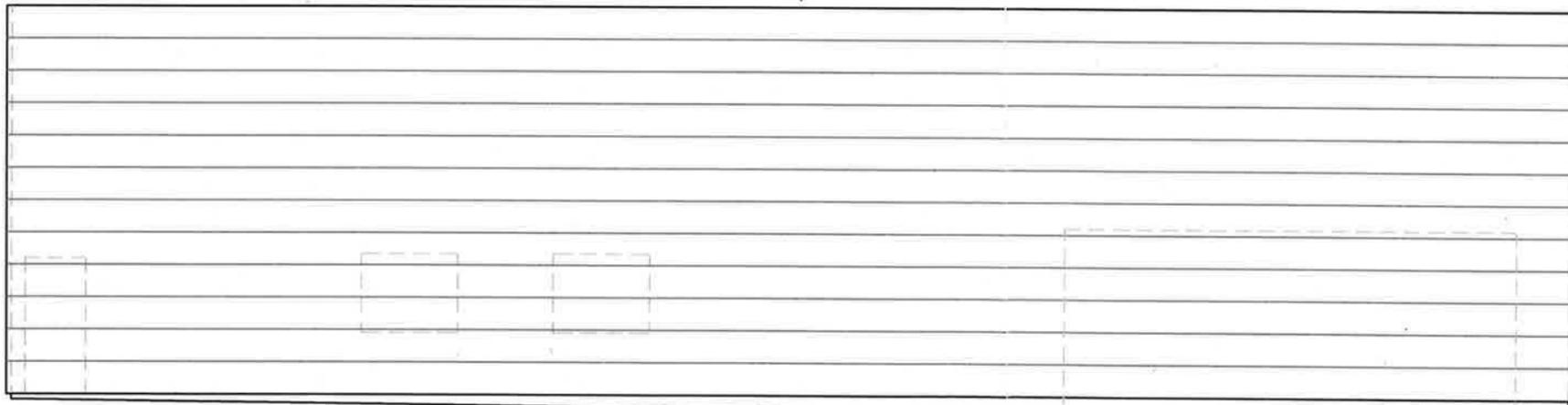
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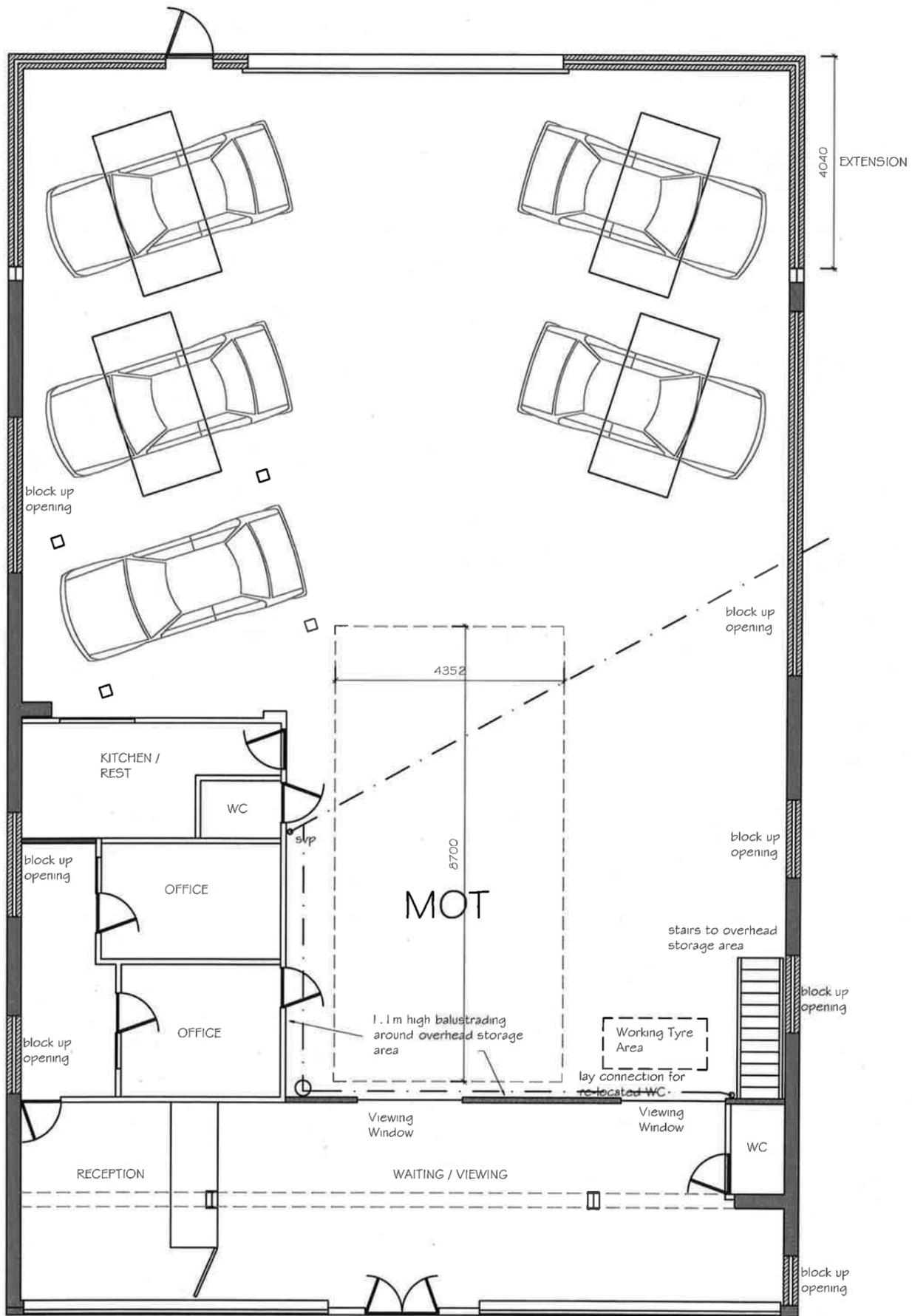
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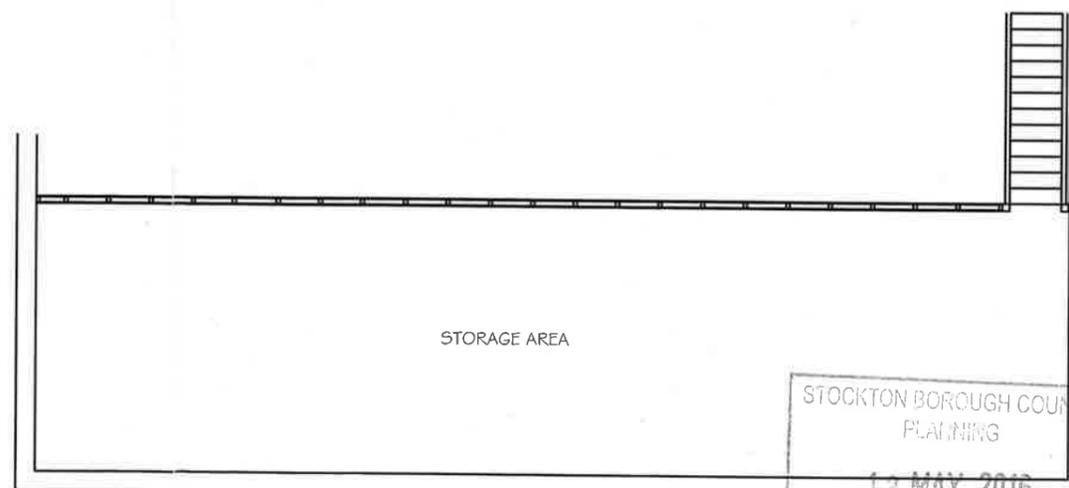
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STOCKTON BOROUGH COUNCIL
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13 MAY 2016
SCANNED

Project Name	Plans for Proposed Alterations to Fairfield Garage, Stockton
Project Type	Proposed Elevations
Scale	SCALE 1:100
Date	DATE Oct 2015
Drawing No.	DRGNO Plan/4/-



GROUND FLOOR PLAN



FIRST FLOOR PLAN

16/1029/--

STOCKTON BOROUGH COUNCIL
PLANNING
13 MAY 2016

STOCKTON BOROUGH COUNCIL
PLANNING

13 MAY 2016
SCANNED

Rev A - 10th May 2016 -
Amendments as per letter of 3rd
May 2016

Plans for Proposed Alterations to
Fairfield Garage, Stockton

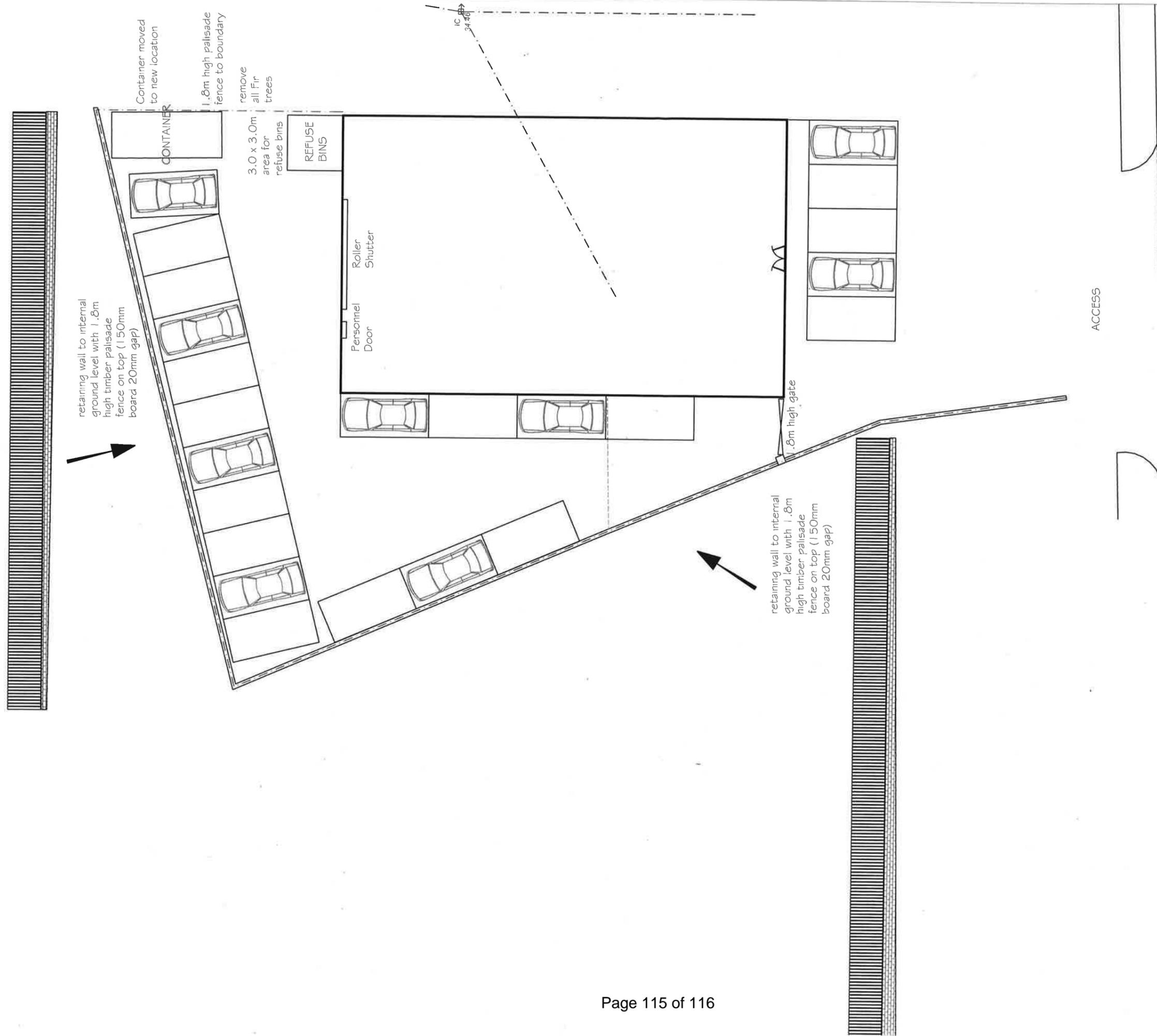
Proposed Floor Plans

SCALE 1:100

DATE Oct 2015

DRGNO Plan/5/-

A



STOCKTON BOROUGH COUNCIL
 PLANNING
 22 JUN 2016
 DATE RECEIVED

Rev B - 18th June 2016 -
 Boundary wall / fence & Parking
 Spaces
 Rev A - 10th May 2016 -
 Amendments as per letter of 3rd
 May 2016

Plans for Proposed Alterations to Fairfield Garage, Stockton	
Proposed Site Plan	
SCALE 1:200	
DATE Oct 2015	
DRGNO Plan/2/-	B

