

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

19 OCTOBER 2016

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

15/3122/FUL

Townend Farm, Whitton, Stockton-on-Tees

Erection of a detached dormer bungalow with attached double garage.

Expiry Date 1 April 2016

SUMMARY

Planning permission is sought for a detached four bedroomed dormer bungalow with attached garage located to the south of the host property at Townend Farm, Whitton. The site is the former tennis court located within the residential curtilage of Townend Farm. The majority of the site is located outside of the limits of development as set out under saved policy EN13, with part of the driveway area being within the limits. The site nevertheless now reads as being part of the residential curtilage of the original farmhouse. Whitton village is also identified as a Tier 4(1) village within the Council's Planning the Future for Rural Villages Study (2014).

One neighbour comment has been received concurring with the opinion of the Planning Inspectorate in the 2007 appeal for Town End Farm that Whitton should be considered as a sustainable village and location. Also commenting that the tennis court area is previously developed land and the style of the bungalow fits in with the surrounding area.

Whilst noting the limited service provision within Whitton village, recently there have been a number of appeal decisions which have accepted that sites have been sustainable even though they may have been within or on the edge of tier 3 and 4 villages and which were considered as unsustainable locations by officers. In particular planning appeal decisions in the villages of Redmarshall and Cowpen Bewley have made it clear that reliance on the Planning the Future of Rural Villages study (2014) to control new residential development is no longer appropriate.

Careful consideration has therefore been given to the implications of these appeal decisions as well as the more recent appeal decisions for new dwellings in Elton which were dismissed due to its unsustainable location. Despite the Council having successfully defended appeals for residential development within some villages which were considered to be in unsustainable locations (as identified within the villages study, 2014), some of these decisions predated the publication of the National Planning Policy Framework (NPPF) with regard to sustainable development and in particular paragraph 55 relating to development in one village supporting services within a village nearby.

The more recent appeal decisions which have been allowed, have therefore focused on this element including the 'clustering' of certain villages with other nearby and more sustainable settlements. As an example this has included the close proximity of Redmarshall to the villages of Carlton and Stillington. However, it remains clear that within the Borough there will remain village locations which are more isolated and do not possess the characteristics of being able to be

considered as functioning as part of a recognised cluster of villages will be continue to be considered to be unsustainable. Villages that may also have limited opportunities for use of alternative modes of transport are also likely to be unsustainable

In considering the merits of this particular case, an assessment has been undertaken of the recent planning appeal decisions, the village boundary for Whitton and whether the village is sustainable given the proximity and service provision available within Stillington. It is considered that Whitton remains at the very limits of sustainability in having no service provision within the village itself. It is only as a result of its relative close proximity to Stillington and its regular and well connected bus service that it is able to be considered as part of a cluster of villages. It could therefore be argued that this development would help maintain and enhance the vitality of the adjacent villages thereby reflecting the approach of paragraph 55 of the Framework.

In addition the proposal would also bring some economic benefits in the short-term during the construction phase and through on-going support for local businesses in the area by future occupiers of the new dwelling. These positive benefits are given weight in favour of this proposal.

Taken in the round, with the services and facilities that will be available to the village combined with the public transport offer both to Stillington and Stockton Town Centre would mean that future residents would have reasonable levels of access to the range of services to meet their day to day needs, from a reasonable choice of alternative transport modes which are commensurate with the location of the site. In view of this, the proposal would conform to the principles set out within section 4 of the Framework and guidance on the provision of rural housing within the Practice Guidance.

RECOMMENDATION

That planning application 15/3122/FUL be approved subject to the following conditions and informatives:-

Approved plans

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

Plan Reference Number	Date on Plan
1590/03 C	21 March 2016
TCP02	21 March 2016
1590/01 O	16 December 2015
1590/02 O	16 December 2015
1590/04 O	16 December 2015
1590/05 O	16 December 2015

Reason: To define the consent.

Hours of Construction

03. No construction activity shall take place on the site outside the hours of 8.00 - 18.00 Monday to Friday, 8.00 - 13:00 pm Saturday and nor at any time on Sundays or Bank Holidays.

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

Unexpected land contamination

04. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site

affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure proper restoration of the site.

Driveway materials

- 05.** Notwithstanding the submitted drawings, the proposed driveway to be constructed shall be permeable materials and shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and amenity of the street scene.

Tree protection

- 06.** Notwithstanding the submitted information no development shall commence until an Arboricultural Method Statement (including no dig construction) and Tree Protection Plan are submitted and be approved in writing by the Local Planning Authority. These documents must be in close accordance with:

1. BRITISH STANDARD 5837:2012 Trees in relation to design, demolition and construction - Recommendations
2. NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) - Operatives Handbook 19th November 2007
3. And the details mentioned in section 5.2 of the Arboricultural Impact Assessment submitted with this application (except point 2 that mentions excavations as these should not be carried out in the no dig area).

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

Reason: To protect the all existing trees on and immediately adjacent to the site (within 10m) that the Local Planning Authority consider to provide important amenity value in the locality.

Soft landscaping

- 07** No development shall commence until full details of Soft Landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following occupation of the development and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

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

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative 1: Working Practices

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

Informative 2- Northern Gas Networks

Northern Gas Networks has commented that there may be apparatus in the area that may be at risk during construction works and should the application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in details. Should diversionary works be required these will be fully chargeable.

BACKGROUND

1. A previous application for outline planning consent for residential development was granted in September 1999 (app ref; 99/1215/P). This was followed by an outline application for the erection of 8no. Dwellings that was granted in 2001 (app ref; 01/2197/P). A further application in 2005 to vary the time limits for the submission of reserved matters (app ref; 05/1344/ARC) was also subsequently approved.
2. A reserved matters application for these 8 dwellings was approved in January 2008 (app ref; 07/3328/REM) and the required information to satisfy the relevant planning conditions have been submitted and agreed. Planning permission was then later sought for a barn conversion (ref; 07/3382/FUL) which was dismissed on the grounds that the site was in an unsustainable location. However, in weighing up the Planning Inspector concluded that whilst the site was 'at the limits of sustainability' the visual benefits of preserving the barn would outweigh the shortfalls.
3. In 2012 planning permission was granted for a substitution of house types at plots 6 and 7 which allowed for external changes to the properties. These dwellings have recently been constructed and are currently for sale. A further application was approved in 2014 (ref 14/2104/FUL) which then sought 4no. Detached dwelling houses across plots 3, 4 and 5. A further application then followed to allow for a variation to incorporate solar panels (15/0480/VARY).

SITE AND SURROUNDINGS

4. The application site is the former tennis court area located to the south-east of the host property at Townend Farm, Whitton. The site is located within the residential curtilage of the host property with open fields located along the eastern and southern boundaries. To the north and partially visible from the application site is the new housing development at Honey Pot Close.
5. The site is set back from the main highway with vehicular access to the site is via a shared access driveway with Townend Farm which runs along the southern side of the host property.

PROPOSAL

6. The proposal is for a four bedroomed detached dormer bungalow with attached double garage. Access to the site will be from the existing single access utilised by Town End Farm. The front elevation of the property will face north with garden areas located to the east and south. The dwelling will have a modern pitched roof design with three dormer windows located on the north and south elevations.

CONSULTATIONS

7. The following consultation responses have been received and these are set out below (in summary):-

Tees Archaeology - The proposal is within the historic medieval settlement of Whitton. I note the existing tennis court, the construction of which is likely to have had a severe impact upon any archaeological deposits that may have been present. In this case the archaeological potential of the site is low given the existing use. I therefore have no objection to the proposal

Spatial Plans Manager - Thank you for consulting the Spatial Planning team on this application. As you will be aware section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission be determined in accordance with the Development Plan unless the material considerations indicate otherwise. You will also be aware that the Council has consulted on the Publication draft of the Regeneration and Environment Local Plan. This document identifies the site as being designated as outside the limits to development.

The NPPF is also a significant material consideration in the determination of planning applications with Paragraph 14 stating that at the heart of the NPPF there is a presumption in favour of sustainable development. It should also be noted that currently the Borough has a supply of deliverable housing land of 4.50 years with a 20% buffer added. . The policies in the development plan that deal with housing supply are therefore to be considered out of date and the proposal must be assessed in relation to the presumption in favour of sustainable development and the tests set out in NPPF paragraph 14.

Saved Policy 'EN13 - Limits to Development' in the adopted Local Plan (1997), seeks to control development within the countryside to that requiring such a location. In order to do this the policy sets out the categories of development that can be permitted outside the limits to development without compromising this objective. The proposal is contrary to Policy EN13.

There has been an inconclusive debate nationally as to whether this type of policy should be regarded as a countryside protection policy or a policy that deals with the supply of housing. The policy is in part a countryside protection policy. However, it is clear that, although not its purpose, one effect of the policy is to restrict the supply of housing. I consider therefore that full weight cannot be accorded to the policy in the absence of a five year supply of deliverable housing sites. The proposal will also need to be considered in the context of NPPF paragraph 55.

The site is located adjacent to the village of Whitton. The Local Planning Authority updated the Planning the Future of Rural Villages study in 2014 as an evidence base for the Local Plan in order to establish the levels of facilities available within the Borough's rural villages and assess their sustainability. This study has concluded that the only villages considered as being sustainable locations for further development are Stillington, Wolviston and Carlton.

It is accepted that the Council is not able to demonstrate a five year supply of deliverable housing sites and therefore 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 contribute a dwelling towards the five year supply of housing. Any adverse impacts of the proposal will need to be considered and balanced against this.

Highways Transport and Environment - The Highways, Transport & Environment Manager has no objections to the development. The proposed dwelling would be served by an existing access; it is considered that visibility at the access is acceptable. The access road is a minimum of 4.2m which allows 2 cars to pass and car parking is provided in accordance with SPD3: Parking Provision for Developments. The design layout, as shown on plan drawing reference 1590/03 C, allows for the setting back of the dwelling and garage from the existing Birch Trees on the northern site boundary and is considered acceptable from a landscape and visual viewpoint. Although the dwelling is outside the village limits to development, it would be situated on a derelict tennis court and will be softened by existing tree planting to the north of the site (beyond which lies a recent new built development) as well as the proposed landscaping around the southern and eastern site boundaries where the site faces the open countryside. Subject to landscape and tree protection details, there would be no landscape and visual objection to the development.

Northumbrian Water Limited - no comments to make.

Northern Gas Networks - no objections to these proposals

Private Sector Housing - no comments to make on this application.

PUBLICITY

8. Neighbours were notified and any comments received are below :-

Mrs Alison Borer - Whitton House Whitton

At present, I am the nearest neighbour to the proposed new house (dormer bungalow); it will be visible, in part, from a sitting room window. I am not objecting to it, and in general I would be neutral. Since it is a reasonable application from my neighbour, however, I am willing to support it. I have two comments.

1. I am of a similar view to the Planning Inspector who allowed the appeal for the Townend Farm barn conversion (ref. 07/3382/FUL and cited in the Design and Access Statement for this application): that it is a mistake to treat Whitton as a non-sustainable village, given its fairly easy walking distance, and current bus service, to good facilities at Stillington.
2. I agree with the position taken in the Statement that the Townend Farm tennis court is previously developed land. Further, the proposed building makes a fair attempt to be unobtrusive, and its style fits better with earlier local houses than some others now existing in Whitton.

PLANNING POLICY

9. 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.
10. 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

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

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

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

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.

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 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.

National Planning Policy Framework

12. 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 55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

Such a design should: – be truly outstanding or innovative, helping to raise standards of design more generally in rural areas; reflect the highest standards in architecture; significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area.

MATERIAL PLANNING CONSIDERATIONS

13. The main considerations with this proposal are the principle of the development, the impact on the character and appearance of the street scene, the impact on the amenity of the neighbouring properties, the impact on highway safety and any other residual matters. These are considered as follows;

Principle of development

14. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development, which has three distinct elements economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to wider opportunities for growth. Building on this aspect paragraph 47 outlines the importance government place on boosting the supply of housing, while paragraph 49 states that where a five year land supply cannot be demonstrated the relevant policies for housing should not be considered up-to-date. At present the Council is only able to demonstrate a 4.5 years housing land supply with the 20% buffer added.
15. In considering the appeal decisions both locally and nationally it is apparent that the lack of a five year housing supply is a significant material planning consideration which weighs heavily in favour of such proposals. Although this proposal will provide only one dwelling it is considered to provide a modest contribution to the borough's rural housing supply.
16. With specific reference to rural housing, paragraph 55 of the NPPF outlines that to promote sustainable development in rural areas, housing should be located where it will enhance the vitality of rural communities. Whilst the NPPF makes it clear that isolated forms of development should be avoided, it states that where there are groups of smaller settlements then development in one village may support services in a nearby village.

Sustainability

17. Whitton village has been classified within the Council's Planning For Rural Village Study as a Tier 4 (1) village which has limited service provision. Table 5 of the Villages study does record Whitton as having ready accessibility by sustainable means of transport to sources of employment which are realistically likely to provide employment and to other services and facilities. Although the factual information contained within the study can be still considered relevant the recent planning inspectors decisions for The Stables, Cowpen Bewley (APP/H0738/W/15/3133384) and The Mains in Redmarshall (APP/H0738/W/15/3129660) concluded that as the study has not been submitted for examination it can only be given limited weight with the NPPF guidance in terms on assessment of rural sustainability taking precedence.
18. In considered the merits of Whitton as a sustainable location, the degree of service provision Whitton itself is limited with a phone box, post box and bus stop. Recent appeal decisions for The Stables and The Mains in Redmarshall have however concluded that in accordance with paragraph 55 of the NPPF it would be unreasonable to take a stance that that the employment and social provisions of individuals should be met entirely within a rural village without requiring some form of travel and that the key issue is whether this travel is by sustainable means or that sustainable alternative journeys could be undertaken.
19. Directly to the side of the vehicle entrance to the application site is the bus stop for Whitton village which operates an hourly service (No 84) Monday to Saturday between Stillington and Stockton High Street via Stillington, Redmarshall, Carlton and North Tees Hospital. The service starts at Whitton just before 9:00 with the last bus from Stockton at 17.20. The range and frequency of the bus service provision from Whitton village to the surrounding villages and to Stockton town centre means the range of employment facilities available to any future occupants are considerable for a rural village. In terms of the long term provision of the bus service, previous Planning Inspectors decisions (The Stables Redmarshall) have made it clear that consideration can only be provided to the current bus service provision provided.
20. In addition to the bus service provision, immediately to the side of the proposed driveway access is a public footpath link straight into Stillington. The footpath is located to the side of the main road (60mph between the villages) with a grass verge between the highway and the footpath, although it is unlit. There is also a section of footpath (59 metres) which goes over the railway bridge where there is no grass verge between the highway and the footpath area and the footpath narrows considerably. Consideration has been given to the safety of the footpath route and whether the distance is acceptable in terms of children walking to school. The walking distance from the application site to the William Cassidy Primary School in Stillington door to door is approximately 977 metres, 1261 metres to the Community centre and 1300 metres to the nearest retail shop, which would equate to a 10-20 minute walk or 10 minute cycle. Consideration has been given to a recent appeal decision for The Mains at Redmarshall (APP/H0738/W/15/3129660) which have comparable walking distance. The Inspector concluded that the 10 minute walking distance between Redmarshall and Carlton village at approx 998 metres plus the additional distance to the play area that could be reached by cycling was considered acceptable. In addition the Council's Network Safety team concluded that as it falls within the national walking distance guidance for primary school children, the route to Stillington and would be safe providing that primary school children were supervised.
21. A previous planning appeal in 2008 (APP/H0738/A/08/2072442) for the conversion of the barn into a residential dwelling at Townend Farm did consider the sustainability of the site. The barn conversion is sited 77 metres from the application site. In summary, the Inspector concluded that Whitton was 'traditionally paired with Stillington' and the site was 'near the limits of sustainability'.

22. Whilst noting the limited service provision within Whitton village, careful consideration has therefore been given to the implications of allowing further residential development within Whitton and whether the 'clustering' of certain villages with other nearby and more sustainable settlements takes place in this instance. Notwithstanding the above and sustainable modes of transport which may be available Whitton is considered to remain at the very limits of sustainability in having no service provision within the village itself and it is only as a result of its relative close proximity to Stillington and its regular and well connected bus service that it is able to be considered as part of a cluster of villages.
23. The economic benefit provided by the development to the vitality of the rural community as set out in paragraph 55 of the NPPF has been considered. Although the proposal will be for only one dwelling the short term benefit in terms provide through the construction of the dwelling has to be given modest weight with more significant weight being given to the long term benefits provided to local businesses y the future occupiers of the development.

Isolated development

24. Paragraph 55 of the NPPF comments that isolated forms of development in rural locations should be avoided unless there are special circumstances. This site is located immediately adjacent to the boundary for the limits of development boundary with part of the driveway located within the limits. The site is located within the existing residential curtilage of the host property on the former tennis court area with residential properties located along two of the boundaries of the site. The location of the site is therefore not considered to be an isolated setting. This view is reinforced by the appeal decision for The Stables, Redmarshall concluded that as that development was physically bounded on three sides by residential properties it was not considered to be an isolated form of development.
25. Policy EN13 carries significant weight in terms of defining the break between urban and rural land uses and landscapes with the aim to prevent any inappropriate forms of development in the countryside. However, the Planning Inspectorate as part of The Stables, Redmarshall appeal concluded that whilst policy EN13 still had relevance in terms of defining the break between urban and rural land uses it was out of date in light of the NPPF guidance in terms of seeking to control housing supply. The application site is located just outside of the limits of development set out in policy EN13. The driveway area, the host property and adjacent properties to the east are within the limits of development. In this particular instance, the location of the site is not considered to have a significant impact in terms of the separation between villages.
26. On balance, given the location of the site within Whitton village, the proximity of the site in relation to the service and facilities within Stillington, previous appeal decision for the barn conversion at the host dwelling and given the guidance set out in the NPPF in terms of maintaining and enhancing the vitality of rural communities, the proposal is considered to be in general accord with paragraphs 8, 14 and 54 of the NPPF in terms of sustainability.

Character and Appearance

27. The application site is located within a rural village where there is a mixture of traditional farm house buildings and outbuildings and more modern properties located to the north of the site at Honey Pot Close. The location of the site is set back from the main highway and although visible from the fields to the east and south of the site will not be highly visible from the highway.
28. Existing screening provided by the row of birch trees along the northern boundary of the site will screen the site from the host property with the eastern boundary being screened by an existing wall and established trees. Views of the site will be available from the fields located to

the east and south with the proposal including additional hedging along these boundaries in addition to the existing post and rail fence. The Council's Landscape Architect has commented that the proposed hedging (drawing 1590/03/C) is acceptable but should include some native tree planting. The recommendation includes a soft landscaping condition to address this point.

29. The overall scale of the proposed dwelling has been restricted to a dormer bungalow design with a maximum ridgeline roof height of 6.9 metres. The dwelling has an L-shaped design with an attached double pitched roof garage sited to the front. Both the L-shaped design of the dwelling and dormer window detailing reflects the current design of the host property, Town End Farm. The dwelling footprint at approximately 184m² is comparable to the 197m² footprint of the host property and those of the surrounding detached properties. The proposed dark red multi brick, slate roof tiles, heritage design velux roof lights and art stone sills and sash window detailing are considered to fit in with the rural character of the village. The proposal includes photovoltaic roof tile and the use of tiles rather than panels is considered to be more in keeping with the rural setting.
30. Within the corner of the neighbours property to the west is a protected Ash tree (T14) which although not within the application site boundary does partially overhang the proposed driveway area for the dwelling. An Arboricultural Impact Assessment has been submitted as part of the proposal. The Councils Arborist comments that the Ash Tree is not diseased and should be retained and has recommended that further details should be provided in terms of no dig construction techniques and a tree protection plan. A condition will be placed on the application that the additional details should be provided and approved prior to any works commencing on site.
31. Overall, the scale, design and materials for the proposed dwelling are considered to fit in with the rural character of the village and is therefore considered to accord with the guidance set out in paragraph 131 of the NPPF and Core Strategy CS3(8).

Highway Safety

32. Access to the site will be shared with the existing driveway access utilised by the host property. The proposed dwelling is a four bedroomed dwelling with an attached double garage to the front and hard standing turning area.
33. The Highways, Transport and Environment team have no objections to the proposal with highway visibility for the access being considered acceptable and the shared access driveway being a minimum of 4.2 metres, allowing two cars to pass. The three car parking spaces provided accord with the parking guidance set out in SPD3-Parking Provision for Developments. There are no highway objections to the proposal.

Amenity

34. Given the siting and orientation of the proposed dwelling and the properties to the north-west and west of the site, it is considered that the degree of separation will ensure that acceptable levels of amenity are provided for both the surrounding properties and any future occupiers.

Residual matters

35. The site is within the historic medieval settlement of Whitton. The proposed dwelling will be sited on an area which has an existing hard standing tennis court.
36. With the area having been previously built on with a tennis court. Tees Archaeology have been consulted on the proposal and commented that due to the previous tennis court construction

and the impact of the construction on any Archaeological deposits the potential for archaeological remains would be low and they therefore have no objections to the proposal.

37. There have been no objections received from the Council's Private Sector Housing officers, Northumbrian Water or Northern Gas Networks.

CONCLUSION

38. Whilst noting the limited service provision within Whitton village, recently there have been a number of appeal decisions which have accepted that sites have been sustainable even though they may have been within or on the edge of tier 3 and 4 villages and which were considered as unsustainable locations by officers. Careful consideration has therefore been given to the implications of these appeal decisions as well as the more recent appeal decisions for new dwellings in Elton which were dismissed due to its unsustainable location. It is evident that these recent appeal decisions which have been allowed, have focused on the 'clustering' of certain villages with other nearby and more sustainable settlements. As an example this has included the close proximity of Redmarshall to the villages of Carlton and Stillington.

39. It is considered that the specific location of the development site within Whitton village along with the footpath links from the site and bus service provision and access to social and economic facilities within the neighbouring villages. However, Whitton is considered to remain at the very limits of sustainability in having no service provision within the village itself and it is only as a result of its relative close proximity to Stillington and its regular and well connected bus service that it is able to be considered as part of a cluster of villages.

40. There is no undue risk to highway safety with adequate parking provided, while the design fits in with the existing character of the village. The separation distances to the neighbouring properties also ensure there will be no significant impact on the amenity of the neighbouring residential properties.

41. In view of all of the above and taken in the round, the services and facilities that will be available to the village within Stillington combined with the public transport offer both to Stillington and Stockton Town Centre would mean that future residents would have reasonable levels of access to the range of services to meet their day to day needs, from a reasonable choice of alternative transport modes which are commensurate with the location of the site. Consequently it is considered that the proposal is in broad accordance with the Development Plan and the National Planning Policy framework and there are no material planning considerations which indicate otherwise. It is recommended that conditional planning permission be granted.

Director of Economic Growth and Development Services
Contact Officer Miss Debra Moody Telephone No 01642 528714

WARD AND WARD COUNCILLOR

Ward **Western Parishes**
Ward Councillor **Councillor Andrew Stephenson**

IMPLICATIONS

Financial Implications:

There are no known financial implications in determining this application.

Environmental Implications:

The site is an existing hard standing tennis court within the residential curtilage of a dwelling and there are no notable environmental implications known to be a result of this proposal.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report. Comments received have been considered in reaching the recommendation.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report. The proposal will result in a slight intensification of the access and adequate regard has been taken to ensure no notable risk to highway safety. Issues of anti social behaviour have been considered.

Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments (2011)

Planning the Future of Rural Villages in Stockton on Tees Borough 2008

Planning applications reference:

15/0803/OUT, 15/1110/OUT, 15/1895/FUL, 15/1930/FUL, 15/1968/FUL