Planning Committee

A meeting of Planning Committee was held on Wednesday, 30th November, 2016.

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

Officers: Elaine Atkinson, Greg Archer, Barry Jackson, Martin Parker, Joanne Roberts, Peter Shovlin, Jonathan Stocks(DEG&D) Julie Butcher(DHR, L&C) Sarah Whaley(DCE)

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

Apologies: Cllr Gillian Corr, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Paul Kirton, Cllr Mick Stoker, Cllr Tracey Stott, Cllr Sylvia Walmsley, Cllr David Wilburn

P 86/16 Evacuation Procedure

The Evacuation Procedure was noted.

P 87/16 Recording of Council Meetings

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 88/16 Declarations of Interest

Councilor Julia Whitehill declared a personal non prejudicial interest in relation to item, Land South of Yarm School Playing Fields East of the Railway, Green Lane, Yarm as she was Ward Councillor for Yarm.

P 89/16 Minutes from the meeting which was held on the 28th September 2016.

Consideration was given to the minutes of the meeting which was held on the 28th September 2016 for approval and signature.

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

P 90/16 16/1959/OUT
Land South of Yarm School Playing Fields East of the Railway, Green Lane, Yarm
Outline application with all matters reserved except for access for approximately 100 dwellings (Use Class C3)

Consideration was given to a report on planning application 16/1959/OUT Land South of Yarm School Playing Fields East of the Railway, Green Lane, Yarm.

This was an outline application, with all matters reserved other than for means of vehicular access. The application proposal was therefore to establish the principle of the development.

The proposal consisted of up to 100 dwellings. A Design and Access Statement and an Illustrative Masterplan had been prepared to demonstrate the layout and design principles for the site with detailed plans submitted for the proposed means of access from the public highway.

90 objections had been received and a summary of the concerns was set out in paragraph 26 of the report with traffic and highway congestion featuring prominently in the consultation responses.

The site itself comprised an agricultural field in use for arable farming and was bound to the north by Yarm School playing pitches beyond which lay Green Lane, established areas of housing and Conyers School. To the south by Hall Wood, beyond was a cluster of buildings, including residential property and Kirklevington Hall (Judges Country House Hotel). To the east by an established tree belt and Thirsk Road (A67), beyond which lay HMP Kirklevington Grange. To the north east of the site lay a Neighbourhood Centre with its Aldi store and a public house; and to the west by the railway line, beyond which lay Yarm Railway Station and new residential development approved under planning permission reference (12/1990/EIS).

The design takes account of physical characteristics of the site such as the presence of the railway line to the west, existing landscape features and the wood land and the watercourse to the south.

Vehicular access to the site was via a Protected Right Turn on the A67.

15% affordable housing was proposed along with contributions to fund school places. Other contributions included funding for off-site highway works and the applicant would agree to enter into a Local Labour Agreement.

The main planning considerations of the application were the compliance of the proposal with national and local planning policy, the principle of housing development, sustainability of the site, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring residents, the impact on the highway network and highway safety, flood risk, archaeology, ecology and nature conservation, heritage and other material planning considerations.

The application site was an unallocated site in the adopted local plan and was located outside the limits of development. Saved Policy EN13 sought to strictly control development within the countryside beyond those limits and restricted to limited activities necessary for the continuation of farming and forestry, contribute to rural diversification or cater for tourism, sport or recreation provided it did not harm the appearance of the countryside. The proposed residential development did not fall within those categories and a judgement was required as to whether considerations in support of the proposed housing

were sufficient to outweigh rural restraint policies.

The supply of housing land was a significant material consideration and the Council was not able to demonstrate a 5-year supply of deliverable housing land. This lack of a five year supply meant that the Local Planning Authority's relevant housing policies could not be considered as up to date and the application must therefore be considered strictly in relation to the guidance in the National Planning Policy Framework, and in the circumstances where a Development Plan was out of date the NPPF presumed in favour of sustainable development and that planning permission should be granted unless: -
* any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole: or
* Specific policies in the Framework indicate development should be restricted.

It was considered that the application site was sustainable and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight was required to be placed on the need to support economic growth through the planning system. It was considered that the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.

In terms of other policy considerations, Core Strategy Policy CS8 sought provision of affordable housing and the proposals would result in 15% affordable housing and would therefore bring about significant socio-economic benefits.

Core Strategy Policy CS10 sought to maintain the separation between settlements, along with the quality of the urban environment through the protection and enhancement of the openness of strategic gaps, between the conurbation and the surrounding towns and villages of the Borough.

The Council's Landscape Architect had assessed the proposal and concluded that whilst the development was outside of the limits to development for Yarm and within the Strategic Gap, it was considered that while a change in the local landscape character would be noticeable due to the change from an agricultural field to the proposed development, the predicted change would be relatively small due to the limited extent of the views and the proximity of existing housing north of Green Lane and west of the railway line. Kirklevington Hall and the prison surrounded the site to the south and east, but these were set within wooded areas, therefore built form was not visible in conjunction with this site.

Kirklevington Hall was a local heritage asset, which lay directly adjacent to the southern site boundary. A sense of openness was a key characteristic of the submitted indicative layout, which retained generous open spaces, and a large green space along the southern edge of the site.

It was considered that whilst the development was outside of the limits to development for Yarm and within the Strategic Gap, the landscape mitigation offered would integrate the scheme into the local landscape and the proposed development would not have a significant impact on the landscape character of the area. Views of the development from the wider area were filtered by the

intervening buildings and it should be noted that the Strategic Gap in this location retained a significant extent towards Kirklevington and the mature woodland south of the site provided a robust and defensible boundary between the proposed development and Kirklevington. It was considered therefore that the proposal would still preserve a strategic gap thereby preventing coalescence between settlements.

In terms of the impact on Neighbouring Residents, the location of the development was sufficiently separated from existing dwellings and it was considered that the proposed dwellings would be sufficiently far apart to meet any visual privacy requirements and the site had a sufficient area to meet the amenity of the occupants and it was not considered that the application would have any significant impact upon the privacy and amenity of neighbouring residents.

In respect of ecology the site was adjacent to woodland to the south of the site, this area would be retained and the implementation of the proposed area of open space also provided a buffer. No significant harm as a result of the proposed development had been identified.

In terms of flood risk, a Flood Risk Assessment accompanied the application and identified the site falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. In relation to drainage, Sustainable Urban Drainage Systems (SUDS) were to be provided within the open space area to the south of the development which would ensure that the development would not increase the probability of flooding elsewhere and the drainage strategy for the site would be agreed with Northumbrian Water and secured by means of a planning condition.

The proposal did not conflict with Planning Guidance in respect of contaminated land.

In terms of noise and air quality impact the Environmental Health Manager had considered the proposal and raised no objection on these matters.

In respect of archaeology, the assessment had concluded that the proposed development would have no effect on any designated heritage assets or any undesignated heritage assets of national archaeological importance. Tees Archaeology had considered the proposal and raised no objection.

In terms of Policy CS3 and the reference to integrating of climate change mitigation and adaptation into housing design, the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. This was secured by a planning condition.

In terms of the loss of agricultural land, the NPPF defined the best and most versatile agricultural land as being Grades 1, 2 and 3a. The application site was in agricultural use on land which was classified as grade 3b and would not therefore lead to the loss of land of the highest agricultural quality. Whilst the proposed development would result in the loss of agricultural land from production the loss was not considered to be significant enough to warrant refusal on this ground alone.

The application was accompanied by a Transport Assessment in order to satisfy the Council that the principle of the development and the subsequent movement of future traffic could be accommodated in and around the site on the surrounding road network.

The Highways, Transport & Environment Manager had assessed the proposal and his detailed comments were set out in full in the consultation section of the report and attached as an appendix.

The impact of the proposed application on the highway network had 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 provided a more informed response regarding the impact of the proposed development on the wider network rather than reviewing each junction in isolation as undertaken in the TA. The results showed that further improvements would be required at the A19/A67 Crathorne interchange and the A67 / A1044 / Green Lane Roundabout. The delivery of both schemes would be secured through a S106 / S278 Agreement and would take account of any contributions already secured towards mitigating the impact of development at this location.

The proposed site access arrangement was considered to be acceptable and would be secured through a S278 Agreement.

Therefore, taking account of the above, Highways, Transport and Environment did not object to the proposed development in relation to the predicted impact on the highways network.

The applicant had submitted an Interim Residential Travel Plan in support of the proposed application which was considered to be broadly acceptable. The agreement of a final Travel Plan would be secured by condition. The following works as identified in the Interim Residential Travel Plan, to improve the existing bus and off-site pedestrian and cycle infrastructure were required, and would be secured via a S278 Agreement:

• A new pedestrian crossing facility on the A1044 Green Lane;
•A new footway link from the crossing facility to Yarm Rail Halt;
•The removal of the existing stop on the A67 on the northbound approach to the roundabout;
•The provision of two additional stops (including low floor platforms, bus shelters and real time information monitors);
•The upgrading of the existing stop on the A67 on the southbound exit from the roundabout;
•The provision of a suitable pedestrian crossing facility on the A67.

A condition was also recommended to agree a Construction Management Plan prior to construction commencing on the site.

The Transport Assessment had therefore demonstrated that sufficient highway improvements were proposed to satisfactorily mitigate against the impact of the development. Highways England had also considered the scheme and raised no objection.

In conclusion the impacts of the proposal had been considered against national and local planning guidance. The guidance in the NPPF made clear that the Local Planning Authority's existing housing delivery policies could not be considered as up to date as it could not demonstrate a five-year supply of deliverable housing sites. Also housing applications were to be considered in the context of the presumption in favour of sustainable development.

The new planning system established by the Government placed the provision and delivery of housing as one of its key roles by contributing to building a strong economy by ensuring that sufficient land of the right type was available in the right places and at the right time.

It was considered that the application site was sustainable and the presumption in the NPPF that Planning should operate to encourage and not act as an impediment to sustainable growth must be applied. Significant weight was required to be placed on the need to support economic growth through the planning system. As the Local Planning Authority's policies for the supply of housing could not be considered as up-to-date, it could not be demonstrated that there was a five-year supply of deliverable housing sites. It was considered the proposal would not give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole and therefore the application was accordingly recommended for approval subject to the Heads of Terms and conditions set out in the report.

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 had been considered in the context of the submitted information, consultee and

consultation responses. The impacts of the proposal had been considered against national and local planning guidance, the development was an unallocated site located outside the established urban limits and such development would normally be resisted unless material considerations indicated otherwise having regard to the development plan. However, the guidance in the NPPF made clear that the Local Planning Authority's existing housing delivery policies could not be considered as up to date as it could not demonstrate a five-year supply of deliverable housing sites. Also, housing applications were to be considered in the context of the presumption in favour of sustainable development.

Other material considerations had been considered in detail and the development as proposed was considered to be acceptable in terms of highway safety, it did not adversely impact on neighbouring properties or the ecological habitat, flooding, archaeology and heritage assets.

It was considered that there were important material benefits arising from the proposed development. Therefore, it was considered that the presumption in favour of sustainable development applied and there were not any adverse impacts from the proposed development that would significantly or demonstrably outweigh the benefits when assessed against the policies in the framework taken as a whole. Therefore, the application was accordingly recommended for approval.

The Planning Officer presented the Committee with the report and associated diagrams, photographs and slides.

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

The Chair of the Parish Council addressed the Committee on behalf of residents to object to the application. Members had received a copy of correspondence to senior planning officers from the Parish Council dated the 11th and 21st of November concerning the outstanding issues with the S106 Agreement drawn up with the developers on Green Lane Yarm, and the remodelling of the A67/A19 interchange. There had been a partial response to concerns raised from Stockton Borough Council.

Questions were raised in relation to how could improvements to a major junction have overestimated traffic volumes in 2013, be deemed adequate in 2015 and were now unacceptable in 2016. Could it be that modelling like any theory could not be proven until it was too late? Did the Council believe they had all the information required to make sound judgment?

145 additional houses had been agreed with the Jomast development which would impact on the interchange and a further 100 houses proposed as part of the scheme being considered today. There were also two further applications in the wings which would also impact. When was an holistic approach to planning going to take place instead of all these ad hoc approaches? Could the A67/A19 interchange take the additional traffic without further consideration to layout. It was believed it would be negligent to approve the proposed development without having all the facts.

The Parish Council had requested sight of the ARUP report however this had not been made available.

Despite the photographs presented not showing any traffic, the main roads could not take any more. The A67/A1044 Green Lane roundabout was at maximum capacity.

The Parish Council challenged why the application was being considered today. The Councils New Local Plan was now being released for consultation having been considered at Planning Committee and Cabinet. It was clear in the document that Theakstons application for development was beyond the Councils clearly defined limits to development and within the identified strategic gap, so why was it recommended for approval.

There were several complaints which had been lodged with the Local Government Ombudsman about some officers' behaviour at the 7th September 2016 Planning Committee meeting. An officers' role was to provide information and advice to enable the Committee to make sound decisions. Members were asked to stand together and say no to any more developments

The Chair of Kirklevington Action group addressed the Committee, her objections could be summarised as follows:

The application was another development of creeping urbanisation to the rural south of the borough outside of the limits to development. It would encroach upon and destroy the local countryside and its nature. The application would add to the congestion in the area and through the Georgian township of Yarm. Environmental damage from traffic emissions would grow not diminish. Would the development answer the need for affordable housing?

It was felt that the newly proposed Local Plan was a good plan as was the previous Local Plan, and those plans should be defended by the Planning Committee and the Officers of Stockton Borough Council who should be supporting and implementing the plan, otherwise why have a plan in the first place. Developers should respect and adhere to the plan. If there were to be limits to development, then this is what should be. If villages were to stay as villages then this is what should happen and if there were to be strategic gaps, then these should remain.

The demands for 5-year affordable housing provision was acknowledged along with the extremely difficult financial juggling that local authorities were faced with. Why did the Council not insist that the developers deliver permissions to achieve the 5-year need? Why was the new development plan so late in completion and why did the Council not question the NPPF which was after all a framework and not a legal requirement? The southern edge of the Borough was in great danger of being overwhelmed and the rural nature being destroyed by the proposed development and others which would follow. None of this was in the plan for Stockton Borough therefore the application should be dismissed.

Reference was made to the improvements which were required at the Crathorne interchange from a previously approved application reference 12/1990/2013 which stated that prior to occupation of any dwelling of the site the requirement for improvements at the Crathorne interchange would be

completed at the satisfaction of the local authority. It was highlighted however that there was a conflicting requirement detailed within the current proposal in which it stated that the trigger point for the improvements at Crathorne interchange would be prior to the occupation of 200 dwellings, accumulatively between the proposed application today and application 12/1990/EIS. Questions were raised as to how there could be such conflicting statements. The was an interchange which had now been redesigned 3 times without implementation. An e mail which had been received 29th November 2016, where officers claimed that the amendment was added in 2015 to remove clause 33 and the revised wording was available in the planning portal under reference 12/1990/NMB, there was no revision of timescale for the works in the planning portal. Who therefore was responsible when the actual and not the model volumes of traffic on the A67 and its junctions contributed to collisions, frustrations and longer journey times? Not the consultants or the developers but the officers and the committee who were entrusted to act on resident's behalf. There was a need for trust between all parties. Maybe now was the time to start this process. It was felt that developers were taking full advantage of all loopholes within the NPPF which had created over development in areas with high valued homes, plus the temptation of higher value council tax generation for a cash strapped local authority. It was also felt that developers were controlling the rate of build out and that a 5-year supply of affordable housing would never be achievable. Another 85, 4 and 5 bed houses south of the borough would not solve the issue of a lack of affordable homes. The Committee were asked to make their decision based on their aspirations for the borough and its limits to development which the Committee had all agreed in the Local Plan. The Committee were asked to reject the application.

The recent flurry of housing developments in the area had raised deep concerns about highway safety, congestion and delay. Theakstons application further exacerbated those issues and without effective mitigation the impact would be severe, as defined in the NPPF. Theakstons traffic assessments stated paragraph 722 that the Green Lane A67 roundabout would operate in excess of accepted capacity thresholds by 2021. This included the consented Jomast application. Long before the traffic assessment the various Green Lane schemes were deemed wholly reliable on roundabout modifications and Theakstons assessment paragraph 723 they predicted that motorists would participate in peak spreading, staggered journey times and use alternative routes, both wonderful solutions if both employers and schools complied and other routes were available. Perhaps it would be achievable if the proposed developments were retirement villages; however, they were executive homes with up to 5 bedrooms to accommodate children. There was a very good reason why there was daily peak flow periods called travel necessity.

Members were asked to consider the A67 / A19 Crathorne interchange. Theakstons consultants on the 11th November 2016 confirmed improvements to the junction would have to come forward before the development could proceed. This should be of no surprise to the Committee as residents from Kirklevington clearly laboured the issue at the time of the Jomast application. Just several hours prior to the meeting, Kirklevington Action Group were informed that the data for the model of the junction was wrong and modifications would be simpler and less expensive, money was however still needed to carry out the modifications. In section 5 of Theakstons correspondence it was clearly stated that they would not fully fund improvement works. Without any certainty

that the improvement works to the Crathorne interchange would be delivered it was naive and premature that the application should be approved.

Reference was made to Stockton Councils traffic model commissioned with ARUP which had not been sighted by Kirklevington Action Group after repeated requests.

In summary, local residents were expected to peak spread around their daily commutes. The Green Lane roundabout would require modification prior to the commencement of the development as would the modifications to the A67/A19 Crathrone interchange. Who was to pay for these works? The committee should refuse to consider this and any future applications until there was more clarity and better traffic modelling.

In 2012 an application for 370 houses was made on the proposed application site. ARUP was asked to carry out a traffic modelling to determine if Green Lane roundabout could cope with the volume of cars that would be generated by the development. The results of the ARUP modelling stated that there were still concerns with the impact of traffic on Green Lane. There had been an explosion of housing developments totalling over 2000 houses within the immediate vicinity, all of which would impact on Green Lane roundabout. The majority of houses were to be 3 to 5 bedroom houses with approximately 4500 extra cars impacting on the local road system, and in addition cars travelling through Yarm to access the A19 and places of employment. When Stockton Borough Council were asked under the Freedom of Information Act about the accumulative volume of traffic they replied in 2016 stating that ‘no data was available in relation to volume of traffic’. The latest ARUP report stated that ‘further improvements would be carried out at Green lane roundabout and delivery of the scheme would be secured by the 100 and 278 agreements mitigating the development on this location’. There had never been any improvements since 2012 whatsoever. How could residents respond to applications when important information was withheld? Only 10% of the approved developments had been built, yet congestion at peak times at the Green Lane roundabout and beyond was horrendous. Stockton Borough Council were fully aware of the problems which existed at the roundabout in 2014 and in the new emerging Local Plan 2016 it stated that ‘the roads at Green Lane roundabout are at capacity, struggling to cope. There were also areas of grid lock on Yarm High Street, Green Lane roundabout and Leven Bank at peak times’. The Local Plan went on to say that developments south east of Green Lane would not be permitted and yet Stockton Borough Council had recommended approval. Theakston’s were aware of those issues and had wasted no time in applying for the proposed development as within 2 to 3 months it would no longer be available. Stockton had its Local Plan however the developers would make sure Stockton would not get its 5-year housing supply.

The Parish Clerk for Kirklevington and Castle Levington Parish Council was in attendance at the meeting and made the following objections:

Members of the Planning Committee were reminded that Kirklevington Parish which the proposed application was situated in was a rural community with no daily public transport. There was a twice weekly off peak bus service but the service was reduced on the 29th November 2016 and only expected to run for one more year. None drivers would once again be walking to the nearest shops,

including Yarm itself. There was no pedestrian crossing on Green Lane making it difficult for those pedestrians walking. Accessing the twice weekly off peak bus service on Green Lane by residents from Yarm and the proposed development was precarious with no safe pedestrian crossing, a lifeline for residents from the retirement homes at Wycliffe Court to access Yarm., who now found it so difficult to cross Green lane to access the shops they were having to pay for taxis which they could ill afford. Students attending Conyers School and Sixth form from Kirklevington also required a safe crossing point. Safe pedestrian crossings were needed now at several points along Green Lane, not a refuge in the middle of the road which was what was proposed. Planning approval had already been granted at Green Lane and Kirklevington for 700 homes and 145 in Kirklevington Village. Was it expected that these homes would have no children or students who would need to access education on the other side of Green Lane or residents who wished to walk to Yarm? The proposed development would also result in more students and residents needing to cross Green Lane safely.

A further planning application had been submitted for an additional 90 homes in Kirklevington Village with a consultation organised for early December for a proposed development of 18 to 19 homes.

The A67 adjacent to the proposed site was to host a protected right turn which would also result in the narrowing of the road which all transport including heavy goods, farm vehicles and cyclists would have to endure. The narrowing of the suggested stretch of road was extremely precarious for cyclists and there was no possibility of a cycle path as the road was too narrow. Horse riders also used the road within close proximity of the proposed development and there was 5 stables with livery and equestrian centre, all of which used the road and would have to ride along the narrow stretch proposed. The highway code stated that drivers should allow at least two metres when passing horses. Horse riders were not allowed to ride along footpaths and verges and therefore had no other route than the proposed narrow road. Had duty of care been cast aside? Stockton Borough Council actively promoted walking and cycling however these modes of transport were being actively denied to residents of the area.

Ward Councillor for Yarm Councillor Elsi Hampton was in attendance at the meeting and given the opportunity to make representation. Her comments could be summarised as follows:

The proposed development was situated in an unallocated site in the adopted Local Plan, outside the limits to development and within the strategic gap which was vital to protect the separation between the conurbation and the surrounding towns and villages. It was also acknowledged that there would be a noticeable change to the local landscape. The proposed development did not adhere to the saved policy EN13 which sought to strictly control the development within the countryside beyond those limits and restrict it to activities for the continuation of farming, forestry, contribute to rural diversification or cater for tourism, sport or recreation provided that it did not harm the appearance of the countryside. It was said that the landscape mitigation offered by the developer would integrate the scheme into the local landscape. Did this mean that any strategic gap within the borough was vulnerable given some appropriate landscaping? Did it also mean that provided there was appropriate landscaping the entire strategic gap between Yarm and Kirklevington could be built upon? It was felt that this would

be the exact message that the residents of Yarm and Kirklevington would receive should the development be approved.

It was said that the south and east of the site was set within a wooded area and therefore built form would not be visible. Why was it then acceptable adjacent to the south-east boundary of the site for the development to be very visible, by introducing individual trees and small groups of trees to replace a continuous dense buffer offered by the developer.

It was also said that the strategic gap retained significant extent towards Kirklevington, however it was still being eroded. It was vital that the Members of the Committee worked to protect the strategic gap throughout the borough.

The only point of access and egress to the site proposed by the developer was situated on the A67, a road which currently had a 60mph speed limit. It was understood that the applicant had agreed to fund the cost of lowering the speed limit to 40mph. Was this to be within the vicinity of the development site from the roundabout to a point before the entrance to Kirklevington, Hall Drive, or was it to extend to the entrance to Judges which would take in the sharp S bends in the road with very poor sight lines? If it related purely to the A67 vicinity of the development there would be real problem. Although there was an advisory 40mph speed limit at that stretch of the road from just before the entrance to Kirklevington, Hall Drive to Judges, it was certainly not mandatory. Drivers could legally drive at 60mph and they did. There was real concerns for anyone travelling towards Yarm at this speed and being confronted by a mandatory 40mph speed limit. They wouldl have just passed the S bends and be faced with a blind rise in the road. Drivers would not have enough time to reduce their speed before reaching the access and egress of the development.

2000 houses had already been agreed to the south of Yarm creating a continuous housing fringe on the south of the borough. Stockton Borough Council should also bear in mind the serious concerns of local people because of the very large number of new houses already approved in the Yarm and Kirklevington area. The Planning Committee were asked to refuse the application and protect the vital strategic gaps throughout the borough.

It was suggested that one of the main reasons for refusal was that the application was premature due to the fact there was an emerging Local Plan. That would be a reason for refusal. The Local Plan was presently going through consultation. The guidelines within the Local Plan included a section about the housing market having a width / breadth of different types of housing. Many of the application’s which had gone through in the South of the Borough did not have this including the current proposal.

The right turn from the proposed development onto the A67 was considered dangerous as there would be traffic coming towards the turning point from the A19 which would not particularly slow down and which was currently 40mph around the bends. Whatever the engineers were saying in their model, there was not the space for it to slow down if traffic was coming to turn right across it.

The emerging Local Plan contained several protected roads. It was felt the A67 should be one of those as it was a re-directional route which needed adding. The Crathorne interchange needing thinking about as the modelling had been

so mixed. There was not enough information provided to enable Members to decide.

The Local Plan also included several small sites being appraised around the area which would just add to the problem.

If the Local Plan was delayed the authority risked losing the new homes bonus and there was also a risk that authority would be put into special measures due to the Local Plan not being submitted. The Local Plan needed to be submitted as soon as possible.

Questions were raised in relation to the accuracy of the Yarm / Ingleby Barwick Traffic Management Model. What sort of parameters did it take into account? For instance, the traffic modelling for the proposed development appeared to have concentrated essentially on all the developments existing and proposed to the south of the river and did not take into account developments in places such as Urlay Nook which travelled through Yarm. Did it consider vehicles which made deliveries to local businesses in Yarm? Did it consider the two sets of traffic lights within Yarm High Street? Did it consider patrons trying to park in Yarm? Yarm was a destination for visitors. Did the model take any of those into account? Was the proposed right turn from the development onto the A67 considered within the traffic model? It was suggested that residents would feel safer turning left and turning around at the Green lane roundabout. It was felt that traffic within the Yarm area with regards to the total development was such that it had reached a very severe level and therefore did not conform to the NPPF paragraph 32. It was with that in mind that it was felt that the application should be rejected.

An objector stated that she wished to make a formal complaint as the information provided for scrutiny to the public and to the Committee to enable them to decide, was incorrect, misleading and misrepresented the proposed development site. The planning process for the land west of the railway in Kirklevington, Far End Farm was referred to. Representation was made to Stockton Council regarding the misuse of the 1658 Yarm map by Tyne and Wear Museum. To prevent the incorrect material being re used by other developers, a request was made to the Council to have the material removed from the file. It was not possible to remove the map and its flawed analysis. An explanation regarding the origin and misuse of the map was therefore placed on the developers file. The 1658 Yarm enclosure map with its incorrect analysis has once more been placed in front of the Planning Committee, however it served no purpose other than to misrepresent the development site. This could be viewed as innocent, negligent or fraudulent.

Wardell Armstrong 2016, landscape capacity consultant for the developer, stated incorrectly in both paragraphs 2.22 and 2.23 that Saltergill Beck rose in Kirklevington Hall grounds. WYG 2011 Landscape Capacity Document stated that Saltergill Beck rose in Kirklevington Hall grounds until corrected in 2013 by the objector. Saltergill Beck did not rise in Kirklevington Hall grounds as it was a river with a complex course draining water from North Yorkshire, it’s source being in the Rountons. Stockton Councils key documents were built on WYG 2011 incorrect assessment of the source of Saltergill Beck. The strategic housing land availability assessment preferred options and planning permissions along Saltergill Back were all agreed before the mistake was

corrected in 2013. Saltergill Beck was a wildlife corridor assessed by ecologists in previous structure plans as a strategic wildlife corridor and it was downgraded to a wildlife network of local importance, no doubt through the 2011 Landscape assessment mistake.

There was to be land removed from Grove Farm and Grove Farm would no longer be viable.

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

This development was a long-standing proposal which formed part of an earlier 2012 allocation. Members would be aware that the Council could not currently demonstrate a 5-year housing land supply of affordable housing and therefore existing policies and the Local Plan were out of date. Whilst reference had been made to the emerging new Local Plan, this was at the very earliest stages for consideration. Consultation was ongoing and there were many processes to go through including a full examination in public before it could be afforded full weight. It was therefore not a reason for refusal nor to say the current proposal was premature.

The location was a sustainable location, within 2km of Yarm High Street, 800 metres of Yarm railway station, 400 metres from bus stops and 300 metres to the nearest neighbourhood centre. There were no reasons to withhold Planning Permission and in fact multiple benefits would flow should planning permission be granted. The application itself had been through a comprehensive and rigorous analysis both by Theakstons professional team and Stockton Councils officers, statutory consultees and the community.

Highways had been raised as an issue, however the Applicants Agent was pleased to confirm that they would be funding a reduction in the speed limit to 40mph. The precise area that the speed limit would cover would need to be determined with officers. The Applicant was also providing a signalised controlled pedestrian crossing on Green Lane to address concerns raised. Additional bus stops were also to be provided on the A67 together with a crossing point. Improvements to the Green Lane roundabout and improvements at Crathorne Interchange. The ARUP work which objectors had highlighted was provided within the Transportation Assessment Report, the funding was to come from Theakstons together with existing schemes which had the benefit of planning permission. In relation to Landscape and green wedge over 50% of the site was proposed for landscape where necessary and officers had identified a relatively small change in landscape. The site would be over 1 kilometre from Kirklevington and as the Masterplan demonstrated there was a strong woodland belt to the south. Ecology, archaeology and drainage, all of which technical measures had been properly addressed throughout the application with significant and multiple socioeconomic benefits would arise should planning permission be granted, not least a contribution of approximately £500,000 for education, 15% contribution towards affordable housing, over 145 jobs through the construction phase, many of which would be local subject to a local labour agreement, £1.2 million new homes bonus to the Council, an ongoing Council Tax receipt of over £250,000 per annum together with over £500,00 of expenditure through people making their new houses their homes. Ongoing expenditure from new residents of approximately £1.4 million which would

support roughly 20 jobs. There was therefore much to endorse the scheme in line with the officer recommendation.

Officers were given the opportunity to respond to comments/issues raised by members of the public. Their responses could be summarised as follows:

The Urban Landscape manager explained to the Committee that the traffic model was not flawed. It had been tested vigorously and validated. The model which was a tool that officers used as professionals to assist in assessing traffic impact had been developed and validated by ARUP, had been validated by Highways England and Council Officers. It had been checked by the Applicants Agents who were professional engineers. Officers felt that some of the comments which had been made by objectors had been taken out of context. The traffic assessment would say that without mitigation there would be an impact, there was bound to be an impact of traffic on the highway in the proposed location, the area was recognised as being traffic sensitive which was why it had taken so long to get to Committee for consideration. The traffic assessment quoted that there would be an impact however mitigation had been proposed both at Green lane and the Crathorne Interchange. In relation to the Crathorne Interchange, Officers had specified to the Applicant that a roundabout must be provided at a cost of over £1,000,000 which would be a significant improvement to the Highway Network and would have the necessary volume in terms of traffic to accommodate both the proposed application and the extant applications that had been approved by the Planning Committee. What had not been tested but would be tested if submitted were any other applications which objectors had referred to. Applications however that Officers were aware of such as applications which were at appeal had been put into the traffic model and tested sensitively. Officers were confident that the mitigation put in place in relation to traffic impact worked.

Where issues had been raised relating to the model itself in terms of what had and had not been presented. The model was a dynamic model which was computer based, however could not be uploaded onto the planning portal, although the information which had been provided was the validation report which supported the modelling and the outputs of that. The journey times were reported within the traffic assessment and were reported in the planning memo. The information provided was what was available nothing had been hidden.

Where issues had been raised in relation to highway safety issues the Traffic and Network Safety Manager highlighted that there appeared to be a misconception regarding the ARUP report. It was explained that ARUP used a piece of software which they input information into including different planning applications. The programme wass ran several times which then calculated how the traffic would operate around the highway network whilst looking at journey times across the whole of the network. The programme also built in some of the changes that the public may make daily where alternative routes may be sought, for example, due to other routes taking longer. This was when peak spreading and alternative routes were considered and average journey time calculated.

In terms of the access point on the A67, the Traffic and Network Safety Manager was satisfied that the access was safe and was in accordance with the design manual for roads and bridges. In relation to the current speeds identified

so far, appropriate visibility was available. A stage one road safety audit had been undertaken on the access and a designer's response to that had also been undertaken. A full topographical survey had been carried out and an engineering drawing had been produced. There was also to be a pedestrian refuge between bus stops on the A67 which was also considered safe. Additional measures which had been identified as part of the travel included, a light controlled crossing on Green Lane, an additional bus stop to be included on Green Lane which would bring the development within 400 metres of bus stops and would complement the services which had been agreed as part of a previously approved Kirklevington development where a 5-year bus service had been agreed.

In terms of the speed limit, the Traffic and Network Safety Manager explained that the S bends which had been described on the A67 were a speed reducing feature therefore included within the reduction to 40mph making it a formal 40mph speed limit not just advisory.

Where issues had been raised relating to the emerging Local Plan, Officers confirmed that if a reason for refusal was based on this then it would in fact carry very little weight as highlighted by the Applicants Agent. The site had been allocated in the emerging regeneration environment plan in 2012 which again had been afforded little weight. In terms of the level of information provided, officers felt that the level of information was sufficient to make full consideration of the impact of the development from both heritage, ecology etc. In terms of impact on Landscape, the Councils Landscape Architect had assessed the scheme and considered that the landscape had capacity to accommodate a development of that proposed, and would not result in an unacceptable accumulative impact.

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

Concerns were raised in relation to the number of additional secondary school places needed. Although it only appeared to be a few for this development was anyone adding up the accumulate total.

Were the school places within the right area and if not would this impact on traffic and school parking etc.?

The Chair confirmed there was information within the main report relating to education however at the Chairs request applications such as the proposed development were looked at as a matter of course by the Councils Education Department, in relation to school places.

Legal advice was sought in relation to the bus stops as there was no bus service currently supporting the site, although it was noted that a previous application which had been approved did support a bus service, however that development had not yet commenced and therefore the bus service had not started. How much weight could be given to a bus service to support the proposed development?

In terms of the traffic model questions were raised in relation to what assessments had been carried out on similar sites going back a period of years

to assess how accurate the model had been in terms of the numbers of vehicles on site. It was concerning that there was a difference of opinion between the professionals and what happens and felt by the residents.

Where the lack of a 5-year housing supply had been referred to it was highlighted that the planning inspector did not always agree with the lack of a 5-year supply of affordable housing being a reason to approve an application.

Questions were raised as to whether it was necessary that the proposed affordable housing be located on the proposed site. It was felt that the less expensive homes would be bought by grandparents wanting to live closer to their grandchildren, however the people who needed help onto the housing ladder wouldn't necessarily onto the proposed site. Wouldn't it be better to put the affordable housing where there was more of a need and the houses were possibly more affordable?

Clarification was sought as to where the SUDS in the bottom left hand corner of the development were draining into. It was felt that this could affect the railway line which it was adjacent to, or, if they were draining into the woodland, had there been an ecology assessment?

In terms of the 40mph speed limit, although the contribution for the traffic order was welcomed, the road was a fast road, it did have significant speeds and due to the topography and differing road heights there was different levels of visibility. Was there any additional measures highways officers could do to make the road 40mph or less.

There were concerns in relation to the mitigation put in place for the Crathorne Interchange roundabout with associate costs to the developer of over £1,000,000. As the development was to only be 100 homes, could the applicant later come back and claim the costs were far too onerous in relation to the size of the development and remove some measures which had been agreed at the outline planning application stage.

Clarification was sought in relation to the map which an objector had referred to as being incorrect.

Offices were asked to comment on the farm which an objector had stated would become unviable if the development was to go ahead.

Members asked when was the right time to implement the traffic measures? It was felt that the right time was prior to the first 200 houses being built as there would be more cars on the road and there would be a certain amount of disruption during the build out phase. Surely it was better to get the mitigation measures in place prior to building.

Officers were given the opportunity to respond to comments/issues raised by Members. Their responses could be summarised as follows:

In relation to bus stops, it was explained that bus stops were highway infrastructure and they could be placed wherever it was deemed necessary on the highway. There had been a bus service agreed in relation to a previously approved application, however there was still a risk the development would not

come forward and therefore a risk to the provision of the 5-year bus service. There was a bus service currently operating, and the more residential properties there were the more likely the patronage would increase the bus service.

In relation to retrospective traffic modelling the Traffic and Network Safety Manager explained that retrospective traffic modelling was not undertaken however a traffic model could be re based which was what was currently happening to the current traffic model in Wynyard due to the amount of housing development.

Where questions had been raised in relation to introducing additional measures to reduce the speed limit on the A67 to 40mph. Visibility was adequate for the current speeds that were operating on the road which had been identified at 43.3 mph. Regarding the access point to the development this had already had a stage one road safety audit. A detailed design would be looked at during the stage two road safety audit and any required mitigation to come out of that audit.

The Councils Education Department were fully involved when drawing up the Heads of Terms considering catchment areas, school enrolment etc., making sure any pressure from housing developments was fully mitigated using the Councils standard formula.

Where issues were raised regarding the location of the affordable housing, the authority sought to achieve mixed communities which the proposed development was in accordance, with a 15% on site provision which was supported by the Head of Housing. Unless there was sound reasons or strong logical arguments why they shouldn't be there then the current proposal would fully accord with the Councils policy.

The details of the SUDS would need to be agreed in conjunction with Network Rail. It was officers understanding that the provision of a water body was beneficial for ecology, however as this was an outline application and would be subject to detail.

In relation to the S106 agreement and Members concerns that the developer may vary the terms, the Chief Solicitor explained that the Heads of Terms were detailed within the report albeit subject to variation as negotiations continued. Once the detail was set out in the S106 agreement the developer was always able to come back and state that the contributions were too high and would make the development unviable. They developer was made to go through an incredibly vigorous process and must provide a fully open book assessment of all costs involved in the development, land values, expected house process etc. The Land and Property Team would independently verify that, and if satisfied that the contribution made it unviable then the authority would be obliged to look at what obligations if any needed to be amended to make the development viable. The S106 agreement would then require the agreed obligations amending. If, however the developers profits were higher those obligations would have to be reintroduced.

Where questions were raised relating to the accuracy of the map from 1658, Officers stated that the level of information had been scrutinised by Tees Archaeology, it was efficient enough for officers to fully understand the impact of

the development and therefore they were satisfied it was reflective of the potential scheme and its impact on heritage etc.

There was no information regarding the viability of the farm.

It was confirmed that the modification to the interchange would not be implemented prior to occupation on the proposed site.

In terms of traffic measures, it was explained that the authority needed to work within the regulations and it was needed to be understood when the impact was going to occur. This applicant would have to consider the other traffic from the other applications. It would have to be accumulative and would have to be assessed and would need a piece of work which was not finalised at present which was why the Heads of Terms needed to be reserved for 6 months so the authority could be sure the work required was in place. The measures could not be asked to be in place prior to the build as the measures were to mitigate against impact and if the impact hadn't occurred then it would be wrong to ask for the mitigation.

A vote then took place and the application was approved.

RESOLVED that planning application 16/1959/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 within the main report.

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

Plan Reference Number	Date on Plan
2100-SK10 B	18 November 2016
2100-SK11 B	18 November 2016
SD.10.01A	25 October 2016
SD-00.01	27 July 2016

02 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.

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

04 The total amount of residential units as authorised by this permission shall not following the issue of the permission hereby granted exceed 100 dwellings (C3 Use Class).

05 Prior to commencement of development a Phasing Programme shall be

submitted to and approved in writing by the Local Planning Authority which shall identify the phasing of infrastructure, landscaping, public open space, accesses, critical drainage infrastructure and residential areas of the development hereby approved. Thereafter the development shall be undertaken in accordance with the Phasing Programme.

06 The development shall be implemented in general conformity with the approved Design and Access Statement and Illustrative Masterplan submitted with the planning application.

07 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 on Sundays or on Bank Holidays.

08 A Construction Management Plan shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of development on each phase, to agree the routing of all HGVs movements associated with the construction phases including a suitable holding area within the site to prevent vehicles entering the site waiting on the highway and to effectively control dust emissions from the site works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The development of each phase shall be undertaken in accordance with the agreed Construction Management Plan for that phase.

09 Notwithstanding any description of the materials in the application, no development shall commence on the erection of any dwellings (except up to damp proof course level) within each phase of development until precise details of the materials to be used in the construction of the external walls and roof of the dwellings for each phase or individual dwelling, as appropriate 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.

10 No development (except for site preparation works and the formation of a site compound) within each phase of development shall take place until a scheme to dispose of, maintain and manage surface water from each phase has been submitted to, and approved in writing by, the Local Planning Authority. The development of each phase shall be implemented and thereafter managed and maintained in accordance with the approved details. The scheme shall include but not be restricted to providing the following details;

I. Detailed design of the surface water management system
II. A build program and timetable for the provision of the critical surface water drainage infrastructure
III. A management plan detailing how surface water runoff from the site will be managed during construction Phase
IV. Details of adoption responsibilities;
V. Management plan for the Surface Water Drainage scheme and any maintenance and funding arrangement;

11 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy dated July 2016.

12 Prior to the commencement of the first dwelling within each phase details of the finished floor levels shall be submitted to and approved in writing by the Local Planning Authority for each phase or individual dwelling, as appropriate. Thereafter, the development must be implemented in accordance with the agreed details.

13 If during development contamination not previously considered is identified, then an additional method statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out..

14 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.

15 All hedgerows and trees that are to be retained shall be protected from root compaction during the course of the development works in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations' British Standards Institution, 2012.

16 Prior to the commencement of the first dwelling within each phase a detailed scheme for the provision, maintenance and management of areas of open and play space (excluding private gardens) for each phase shall be submitted to and approved in writing by the Local Planning Authority. Details to be submitted shall include:

I Details of landscape management and maintenance plans;
ii Details of planting, grass cutting, weeding and pruning;
iii Inspection, repair and maintenance of all hard landscaping and structures;
iv Management, monitoring and operational restrictions;
v Maintenance and planting replacement programme for the establishment period of landscaping; and
vi A procedure that would be implemented in the event of any tree (or item of soft landscaping) being removed, uprooted/ destroyed or dying.
The development of each phase shall thereafter be carried out, maintained and managed in full accordance with the approved details.

17 All ecological mitigation measures within the ‘Ecological Impact Assessment’ prepared by E3 Ecology Ltd (July 2016) shall be implemented throughout the development in full in accordance with the advice and recommendations contained within the document..

18 Prior to the commencement of the first dwelling a noise mitigation strategy based upon the principles contained within the “Noise Assessment” by QEM dated September 2016 shall be submitted to and approved in writing by the Local Planning Authority for each phase or individual dwelling, as appropriate.

The noise mitigation strategy may include specific mitigation measures including but not necessarily restricted to acoustic glazing or acoustic barriers. The development shall be implemented in accordance with the approved mitigation strategy and the mitigation measures retained throughout the lifetime of the development.

19 Prior to the commencement of the first dwelling within each phase a scheme for the provision or a refuse storage area for each individual dwelling within that phase shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme and be retained for the storage of refuse at all times.

20 Within each phase, no development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development within that phase is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall have confirmed in writing that it is satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence..

21 Prior to occupation of the first dwelling, details of the pedestrian link between the northern boundary of the application site and Green Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved pedestrian link shall be implemented prior to occupation of the 50th market dwelling hereby approved.

HEADS OF TERMS

Education
Contribution for primary and secondary school places based on the Council's standard formula, to be calculated at commencement and reduced to take account of any vacant primary school places in Kirklevington Primary and St Cuthbert's RC Primary School for the primary contribution and any vacant secondary school places in Conyers School for the secondary contribution as recorded within the Annual School Census current at the time of Occupation of the 30th dwelling or the first payment of the Education Contribution.
Payment requirement in two tranches, the first prior to the occupation of the 30th market dwelling and the second prior to the occupation of the 60th market dwelling.

Local Labour Agreement
• To use reasonable endeavours to ensure that 10% of the jobs on the development are made available to residents within the Target Areas
• To use reasonable endeavours to ensure that 10% of the total net value of the services and materials used in the development are provided by Businesses within the Target Areas
• To use reasonable steps to procure that any contractor and / or subcontractor nominate an individual to liaise with the Principal Employability Officer.
• Submit a Method Statement to the Council prior to the commencement of each

Phase of the development which demonstrates that reasonable steps to be taken for each Job vacancy and opportunity for services and materials to be advertised and available to individuals and businesses within the Target Area and shall include details regarding the provision of monitoring information to be provided to the Principal Employability Officer

Section 278 Works
To enter into Section 278 Agreement to comprise the following works:
• New access junction into the site from the A67;
• Junction improvement works at the A67 / Green Lane Roundabout Junction:
• Junction improvement works at the A67 / Crathorne Interchange;
• New footways, dropped kerbs and tactile paving at new junction providing access to the site from the A67 to connect the development to the existing pedestrian network;
• New traffic-signal controlled pedestrian crossing facility on Green Lane;
• A new footway connection, between the Rail Halt and the pedestrian link to the site, along the southern side of Green Lane;
• Improvements to the existing bus stop, on the southern bound carriageway of the A67, immediately to the south of the A67 / Green Lane Roundabout Junction; and
• The provision of on-road bus stops on the A67 and Green Lane.

Trigger points for the delivery of:
1) the Junction improvement works at the A67 / Crathorne Interchange:
• Prior to the occupation of 200 dwellings cumulatively between this development (16/1959/OUT) and the adjoining development (12/1990/EIS).
2) New access junction into the site from the A67:
• Prior to the occupation of the first dwelling.

Other Highway Mitigation
Financial contribution to Traffic Regulation Order to reduce the speed limit on the A67 from national speed limit to 40mph;

Affordable Housing
The provision of 15% of the units within the site shall be provided as affordable housing. Affordable housing shall be provided as follows unless an alternative scheme is agreed in writing with the Local Planning Authority;

Affordable housing/property size: 14 units to be 2 bedroom and 1 unit to be 3 bedroom

Affordable housing tenure mix: 30% shall be made available on an intermediate tenure basis and 70% for affordable rent.

Trigger points for affordable housing delivery: a suitable phasing scheme shall be agreed outlining milestones and trigger points for the delivery of the units. This shall require, at least:
• no more than 50% of the open market housing to be substantially completed prior to the handover of 50% of the affordable housing units
• no more than 85% of the open market housing to be substantially completed prior to the handover of 100% of the affordable housing units
%'s of units shall be rounded up or down accordingly.

All affordable housing will comply with the Homes and Communities Agency's Level 1 Space standards and associated design and quality standards.

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 gaining additional and revised information to assess the scheme and by the identification and imposition of appropriate planning conditions.

Informative: Network Rail
Attention is drawn to the consultation response from Network Rail which contains a substantial amount of information on their requirements.

P 16/2179/REM
91/16 Land Adjoining Approved Phase 1 Scheme, South of Kirk Hill, Carlton, Application for reserved matters for the appearance, landscaping, layout and scale for the erection of 25 dwellings.

Consideration was given to a report on planning application 16/2179/REM Land Adjoining Approved Phase 1 Scheme, South of Kirk Hill, Carlton.

Members were aware that Full planning permission had been approved by the Planning Committee on the 20 August 2014 on land to the north of the application site (Phase 1) for the erection of 36 dwellings (13 affordable and 23 open market) with associated landscaping and infrastructure.

Following on from this outline planning, permission was granted on land to the south of Phase 1 for the construction of 25 residential dwellings comprising 8 affordable dwellings and 17 open market dwellings, with all matters reserved except access (Application 14/3008/OUT). The application was approved by Planning Committee on the 28th July 2015 subject to conditions and a Section 106 agreement requiring the following;

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

The Section 106 agreement and the planning conditions would still be required to be fully met by the developer.

As the principle of the development had been established by the outline planning permission, this application was purely concerned with the Reserved Matters details for the appearance, landscaping, layout and scale. Access was taken from Kirk Hill (which also serves Phase 1) and was in accordance with that submitted in detail and approved as part of the outline permission.

A number of objections had been raised by local residents which were considered to relate primarily to the principle of development which had already

been established by the granting of outline planning permission. The issues and matters raised were fully considered and addressed as part of the original outline planning permission.

In relation to the reserved matters, the predominant scale of the dwellings was 2 storeys in height with the exception of three bungalows. The main materials would be a mixture of buff and red brick and the dwelling designs were traditional in appearance similar to those approved on phase 1. A large landscape buffer was proposed on the southern boundary and the hedge/planting on the east and western boundaries would be strengthened.

The development layout scale and appearance would be similar to Phase 1 which was modern in appearance; however given the housing mix in the area with 1970's properties to the north and 1990's properties to the north-east, it was considered that this modern development would not have an adverse impact on the character in the area with the older parts of the village located around the historic core. The proposed housing layout incorporated a mix of house types, which were traditional in design using a palette of materials chosen to reflect the appearance of Phase 1.

There were a range of house types giving a wide variety of accommodation and the proposed layout had been designed to ensure that adequate distances were met. The layout of the site and design of the houses did not lead to any overlooking and it was considered that the proposal related well to existing development in the vicinity.

The plan provided some opportunities for landscaping which would provide a positive characteristic to the development, however to prevent small frontages being enclosed in a sporadic form which would adversely affect the character of the street scene, a condition was imposed on the outline permission removing permitted development rights for means of enclosure. In addition in order to prevent undue impacts associated with the proposed trees and hedges which were considered a fundamental part of the development and also to prevent undue impacts from the plots which just met the required separation distances, a condition was imposed on the outline permission to remove permitted development rights for the erection of extension/alterations to the properties.

Each dwelling had the requisite car parking and there were a number of additional visitor parking spaces throughout the development

Overall it was considered that the proposed development was acceptable in terms of appearance, landscaping, layout and scale. The recommendation was to approve the application.

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 conclude that overall it was considered that the proposed development was acceptable in terms of appearance, landscaping, layout and scale and it was considered that the site could satisfactorily accommodate the proposal without any undue impact on the amenity of any adjacent neighbours. It was considered that the reserved matters were in general accordance with the National Planning Policy Framework and the Development Plan policies and therefore the recommendation was to approve the reserved matters application subject to the conditions set out in the report.

The Planning Officer presented the Committee with the report and associated diagrams, photographs and slides.

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

Reference was made to the objection submitted by Tees Valley Wildlife Trust in relation to the development having an adverse Impact on biodiversity priority species, in particular hedgehogs. It was understood that residents could build their own fences without permission, and could not be forced to put in hedgehog holes. It was suggested that fences could be erected in advance by the developer with hedgehog holes already in them to solve the problem.

Officers explained that fences with hedgehog holes could not be insisted upon however it had been included as an informative for the developer. There were also objections relating to the fact that there weren't many hedges. Officers highlighted that the majority means of enclosure to the front of the development were privet hedges and the fences were usually located at the back where resident's gardens were located.

A vote took place and the application was approved.

RESOLVED that planning application 16/2179/REM be approved subject to the following conditions and informatives;

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

Plan Reference Number	Date on Plan
GEN-55B-014 POPLAR	19 August 2016
GEN-55B-013 SAGE	19 August 2016
GEN-55B-012 FERN	19 August 2016
GEN-55B-011 SPRUCE	19 August 2016
GEN-55B-010 SYCAMORE	19 August 2016
GEN-55B-008 ELDER	19 August 2016
GEN-55B-007 CHESTNUT	19 August 2016
GEN-55B--009 ELM	19 August 2016
200-21 REV 1	19 August 2016
GEN-55B-015 P2	19 August 2016
GEN-55B-006 P3	19 August 2016
GEN-55B-005 P6	7 November 2016
SLDS-1346-V1 REV A	7 November 2016
C-1112-02 REV J	7 November 2016

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

Informative: Cleveland Wildlife Trust
Where boundary walls and fences are required, these should contain suitable holes to allow the free passage of hedgehogs between gardens and into the surrounding countryside. In order to discourage property owners from blocking these holes, they should be marked as being provided for hedgehogs.

P 92/16 **1. Appeal - 529 Yarm Road, Eaglescliffe, Stockton on Tees, TS16 9BH - 15/2689/FUL - ALLLOWED WITH CONDITIONS**

The Appeal was noted.

P 93/16 **1. Appeal. Elton Manor, Darlington Road, Elton, Stockton on Tees, TS21 1AG - 15/1968/FUL - DISMISSED**

The Appeal was noted.