

DELEGATED

AGENDA NO

PLANNING COMMITTEE

30 NOVEMBER 2016

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

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)**

Expiry Date: 2 December 2016

SUMMARY

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

The proposal consists of up to 100 dwellings. A Design and Access Statement and an Illustrative Masterplan have 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 have been received and a summary of the concerns is set out in paragraph 26 of the report with traffic and highway congestion featuring prominently in the consultation responses.

The site itself comprises an agricultural field in use for arable farming and is bound to the north by Yarm School playing pitches beyond which lies Green Lane, established areas of housing and Conyers School. To the south by Hall Wood, beyond which is 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 lies HMP Kirklevington Grange. To the north east of the site lies a Neighbourhood Centre with its Aldi store and a public house; and to the west by the railway line, beyond which lies 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 is via a Protected Right Turn on the A67.

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

The main planning considerations of this application are 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 is an unallocated site in the adopted local plan and is located outside the limits of development. Saved Policy EN13 seeks to strictly control development within the countryside beyond these 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 does not harm the appearance of the countryside. The proposed residential development does not fall within these categories and a judgement is required as to whether considerations in support of the proposed housing are sufficient to outweigh rural restraint policies.

The supply of housing land is a significant material consideration and the Council is not able to demonstrate a 5-year supply of deliverable housing land. This lack of a five year supply means that the Local Planning Authority's relevant housing policies cannot 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 is out of date the NPPF presumes 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 is considered that the application site is 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 is required to be placed on the need to support economic growth through the planning system. It is 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 seeks provision of affordable housing and the proposals will result in 15% affordable housing and will therefore bring about significant socio-economic benefits.

Core Strategy Policy CS10 seeks 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 has assessed the proposal and concludes that whilst the development is outside of the limits to development for Yarm and within the Strategic Gap, it is 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 surround the site to the south and east, but these are set within wooded areas, therefore built form is not visible in conjunction with this site.

Kirklevington Hall is a local heritage asset, which lies directly adjacent to the southern site boundary. A sense of openness is a key characteristic of the submitted indicative layout, which retains generous open spaces, and a large green space along the southern edge of the site. It is considered that whilst the development is 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 are filtered by the intervening

buildings and it should be noted that the Strategic Gap in this location retains a significant extent towards Kirklevington and the mature woodland south of the site provides a robust and defensible boundary between the proposed development and Kirklevington. It is 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 is sufficiently separated from existing dwellings and it is considered that the proposed dwellings would be sufficiently far apart to meet any visual privacy requirements and the site has a sufficient area to meet the amenity of the occupants and it is not considered that the application will have any significant impact upon the privacy and amenity of neighbouring residents.

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

In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies 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) are to be provided within the open space area to the south of the development which will ensure that the development will not increase the probability of flooding elsewhere and the drainage strategy for the site will be agreed with Northumbrian Water and secured by means of a planning condition.

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

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

In respect of archaeology, the assessment has concluded that the proposed development will have no effect on any designated heritage assets or any undesignated heritage assets of national archaeological importance. Tees Archaeology has considered the proposal and raises 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 is secured by a planning condition.

In terms of the loss of agricultural land, the NPPF defines the best and most versatile agricultural land as being Grades 1, 2 and 3a. The application site is in agricultural use on land which is classified as grade 3b and will 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 is not considered to be significant enough to warrant refusal on this ground alone.

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

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

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

The YIBAM traffic modelling provides a more informed response regarding the impact of the proposed development on the wider network rather than reviewing each junction in isolation as undertaken in the TA. The results show 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 is considered to be acceptable and would be secured through a S278 Agreement.

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

The applicant has submitted an Interim Residential Travel Plan in support of the proposed application which is considered to be broadly acceptable. The agreement of a final Travel Plan will 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 are required, and will 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 is also recommended to agree a Construction Management Plan prior to construction commencing on the site.

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

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

The new planning system established by the Government places 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 is available in the right places and at the right time.

It is considered that the application site is 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 is 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 cannot be considered as up-to-date, it cannot be demonstrated that there is a five-year supply of deliverable housing sites. It is 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 is accordingly recommended for approval subject to the Heads of Terms and conditions set out in the report.

RECOMMENDATION

That planning application 16/1959/OUT be approved subject to the following conditions and informatives and subject to the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below;

- 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

Reason: To define the consent.

- 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.

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

- 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.

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

- 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).

Reason: To ensure a satisfactory form of development.

- 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.

Reason: To ensure the co-ordinated progression of the development and the provision of the relevant infrastructure to each individual phase and in accordance with Part 7 of the National Planning Policy Framework.

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

Reason: To ensure that the Reserved Matters for the appearance, layout and scale of the buildings and landscaping to be submitted are in accordance with the approved Design and Access Statement and to enable the Local Planning Authority to satisfactorily control the development.

- 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.**

Reason: In the interests of residential amenity to accord with saved Policy HO3 of the Stockton-on-Tees Local Plan and have regard to Part 11 of the National Planning Policy Framework.

- 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.**

Reason: In the interests of residential amenity having regards to Part 7 of the National Planning Policy Framework.

- 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.**

Reason: In order to allow the Local Planning Authority adequate control over the appearance of the development and to comply with Policy CS3 of the Stockton-on-Tees Core Strategy Development Plan and Part 7 of the National Planning Policy Framework.

- 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;**

Reason: In order to prevent the risk to flooding as required by Policy CS10 of the Stockton-on-Tees Core Strategy Development Plan and Part 10 of the National Planning Policy Framework

- 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.**

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

- 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.**

Reason: In the interests of visual amenity and in respect to flood risk, in accordance Policy CS10 of the Stockton-on-Tees Core Strategy Development Plan and Part 10 of the National Planning Policy Framework.

- 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.**

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, in accordance Part 11 of the National Planning Policy Framework.

- 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.**

Reason: In order to protect landscaping within the site until a point where the overall layout and contribution of existing landscaping is understood in accordance with Policy CS3 of the Stockton-on-Tees Core Strategy Development Plan and Part 11 of the National Planning Policy Framework.

- 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.**

Reason: To maintain and protect the existing landscape and biodiversity value of the site, in accordance with Policy CS3 of the Stockton-on-Tees Core Strategy Development Plan and Part 11 of the National Planning Policy Framework.

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.

Reason: To ensure appropriate maintenance and management of open space in accordance with Policy CS3 of the Stockton-on-Tees Core Strategy Development Plan and Part 11 of the National Planning Policy Framework.

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.

Reason: To conserve protected species and their habitats in accordance with the Stockton-on-Tees Core Strategy Development Plan Policies CS3 and CS10 and Part 11 of the National Planning Policy Framework.

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.

Reason: In the interests of residential amenity having regards to Part 11 of the National Planning Policy Framework.

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.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with Part 4 of the National Planning Policy Framework

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.

Reason: In the interests of promoting sustainable development.

- 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.

Reason: In order to encourage sustainable means of travel and to promote healthy communities in accordance with Parts 4 and 8 of the NPPF.

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.

BACKGROUND

1. In spring 2015 the Council consulted on an early draft of the Regeneration and Environment Local Plan, the Council's plan for future development and land use within the Borough for the next 15 years. As part of this emerging Plan, the site combined with the area to the west (currently under construction) was allocated for housing in the emerging Regeneration and Environment DPD (May 2012 Allocation Ref H1j).
2. On 27 June 2016, however, a report was endorsed by Cabinet recommending that the Council cease production of the Regeneration and Environment Local Plan and produce a new Local Plan which will replace existing policy documents and supersede existing emerging planning policy.

SITE AND SURROUNDINGS

3. The site currently comprises an agricultural field in use for arable farming and is bound to the north by Yarm School playing pitches beyond which lies Green Lane, established areas of housing and Conyers School. To the south by Hall Wood, beyond which is 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 lies HMP Kirklevington Grange. To the north east of the site lies Kirklevington Grange Neighbourhood Centre with its Aldi store and public house; and to the west by the railway line, beyond which lies Yarm Railway Station and new residential development approved under planning permission reference (12/1990/EIS).

PROPOSAL

4. This is an outline application, with all matters reserved save for means of vehicular access. The proposal at this stage does not set out a detailed design solution for the site as the application is in outline, however, in order to address the Local Planning Authority's concerns on the potential form and quality of the development, the Design and Access Statement provides a planning and design framework for development on the site. It is not intended as a prescriptive document but sets out a number of urban design principles that future developers would be expected to meet.

5. The proposal consists of up to 100 dwellings. The application is accompanied by detailed access proposals and the proposed vehicular access to the site is provided via a Protected Right Turn on the A67. Other works to improve the existing public transport and off-site pedestrian and cycle infrastructure will be secured via a s278 Agreement and will include the following:

- A new pedestrian crossing facility on the A1044 Green Lane (as shown on figure 6 of the Interim Residential Travel Plan);
- A new footway link from the crossing facility to Yarm Rail Station (as shown on figure 6 of the Interim Residential Travel Plan);
- 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.

6. An Illustrative Masterplan accompanies the application and the applicant envisages that the mix of dwellings to be delivered will include large 4 and 5 bed 'executive' properties. The exact quantum of each will be determined in line with local market indicators at the Reserved Matters stage. However, the parameters plans set out within the accompanying Design and Access Statement show the scheme will be of low density and consist of predominantly 2 storey buildings which are distinctive in character and conformity with the submitted Design and Access Statement will be controlled by a planning condition.

7. An outline landscape strategy has also been developed for the site which retains existing hedgerow planting at the northern boundary and enhanced to provide a strong visual buffer between the development area and Green Lane; new tree planting introduced at the eastern development edge will form a strong visual screen between proposed dwellings and the A67, Thirsk Road. This landscape buffer also ensures a strong landscape impression upon entering the development area. Existing mature woodland at the southern site boundary will be supplemented with additional planting, SUDS area and pedestrian routes to create an attractive area of open space. Existing vegetation at the western boundary will be reinforced to provide a visual screen between the proposed dwellings and the railway line that runs alongside the boundary. Dwellings in this location are in this way offered a rear aspect onto a soft green edge. The internal public realm will include public open space, providing focal points for vehicle and pedestrian routes. Trees will feature throughout the development, contributing to the overall character of the development.

8. In accordance with the adopted Core Strategy, 15% affordable housing will be provided on-site. Given the executive nature of the scheme and in particular the difference in scale between the proposed market dwellings (principally 4 and 5 bed units) and the affordable units careful consideration has been given to the scheme in terms of the siting and in this instance it is considered it is appropriate to group the affordable housing units because locating the units near the site entrance will ensure that the affordable units are delivered quickly in an early phase, whereas if they were distributed throughout the site it may take a number of years before all units are delivered and through the grouping of units this allows a more appropriate design response in keeping with the landscape led principles of the scheme. In particular the units have been designed to blend in with the larger executive units creating a more inclusive design whereas pepper-potting the smaller 2/3 bed units would affect both the form and nature of the street scene. It is also important to note that the Council retains full control over the design and siting of the affordable units through any scheme the applicant submits to discharge their Section 106 obligations and also at the reserved matters stage.

CONSULTATIONS

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

10. Kirklevington and Castle Levington Parish Council

Reasons for objecting:-

Traffic reasons.

Site access: The access onto the site proposed by the developer is situated on the A67, at an agricultural track, not far from Kirklevington Hall Drive. Because of a previous planning application to build on land on both sides of the railway line, the road between the Drive and the roundabout has already been assessed by Stockton Council and been declared to be unsuitable for the location of an access road to a development. It must be stressed that the current application is actually for part of the land designated in the original application, being located between the

railway line and the A67.

In 2012 a Freedom of Information request was made to Stockton Borough Council by Kirklevington Parish Council. The reply from Stockton Borough was dated 8th of August 2012, with your reference number being 9948. Question 3, on Page four of the reply, related to "significant issues regarding the local road network". The reply to Question 3 contains comments made by the Highways Officer relating to the exact same part of the a67 included in the current application. The Highways Officer categorically stated "Access to A67/Kirklevington Road would not be allowed." In 2012 Stockton Borough Council therefore emphatically stated that an access would not be allowed. The road had a 60 miles per hour speed limit at that time and still retains this limit. The sight lines for the entrance to the proposed development should therefore be assessed against the actual road speed limit and not against a lower speed limit. Even if it is proven that a large percentage of the traffic on the A67, at this point, is actually moving at a speed below the limit, it is an incontrovertible fact that any user of the road would be legally allowed to travel at, up to, 60 miles per hour. At such a speed the proposed sight lines for the new development would be completely inadequate and, in fact, dangerous. If Stockton decided to agree the proposed reduced sight line for the development, a motorist travelling at the legal speed limit could find themselves involved in a road traffic accident through no fault of their own, but due to Stockton Borough Council having agreed to sight lines for the entrance to a new development which are approximately only half of those required for a 60 miles per hour road.

At peak times, both morning and evening, turning right from the proposed site towards the A19 is both impossible and dangerous if attempted. Traffic queues from around the entrance to Judges Hotel through the narrow and tight 's' bends in the trees towards the roundabout on Green Lane north on the A67. Traffic continuously flows along the A67 southbound from Yarm with little if any break in the traffic. The only possible way that traffic exiting the site at these times of day and needing to travel south towards the A19 would be to ease into the northbound traffic, negotiate around the already very congested roundabout on Green Lane and then turn back down onto the A67 for onward journey to the A19 and to access work in Industrial Teesside, Middlesbrough, North Yorkshire and beyond.

It is also of concern regarding the creating of a right hand turn into the site from the North with any holding lane being totally inadequate. The road is narrow and a short distance from Green Lane resulting in multiple vehicles waiting to turn into the site.

An accident waiting to happen

It is stated the proposed site is to support 100 C3 Dwellings which will generate upwards of around 200 or more vehicles at peak times. Such homes will most certainly have 2 or more vehicles per dwelling and the occupants will all need to access work.

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 and the overloading effect this will place upon the roundabout. Apparently, without any further development, Stockton Borough Council is already stating that the roundabout will be congested at peak periods. This roundabout already hosts a petrol station with vehicles turning quickly into the site and needing to exit south by crossing over the queueing traffic when possible or considerate drivers stop to allow.

Emergency vehicles would struggle to access the site with only one access point.

In view of the above it is entirely reasonable for the people of Kirklevington Parish to expect Stockton Borough Council to demonstrate consistency in the way in which it assesses access to proposed development sites and reject the proposed development on the grounds that an adequate ingress/egress cannot be achieved onto the A67.

The site of the development.

The proposed site is outside the limits to development contained within the local plan. The site is currently farmed land without any buildings. It will therefore erode the green Wedge between Yarm and Kirklevington.

This land forms part of the existing wild life corridor which hosts travelling animals needing to access the River Leven. To restrict the free movement of such animals will cause great problems.

The proposed site will only exacerbate the already developing housing fringe to the south of Stockton Borough. 2000 dwellings (Morley Carr, Tall Trees, Green Lane, Mount Leven Farm and Little Maltby) have already been approved by Stockton Borough to the south of Yarm. Residents living to the South of Yarm, Kirklevington and Castle Levington are already feeling the effects of development on these sites with heavy vehicles 7 days a week and can expect this to continue for the next 10 years together with the ever increasing traffic developing from the sites when residents move in.

This development will be an isolated community because it is bounded on three sides by the railway line, Yarm School playing fields and the A67. The remaining side is currently used for sheep grazing!

Further comments received

21/11/16.

We are writing to you on behalf of Kirklevington and Castle Levington Parish Council regarding 16/1959/OUT | Outline application with all matters reserved except for access for approximately 100 dwellings (Use Class C3) | Land South Of Yarm School Playing Fields East Of The Railway Green Lane Yarm TS15 9EH

In March of this year Chris Bell of Highways England wrote to us regarding 15 / 1643 / OUT

“The reason for placing a formal response of non-determination was that SBC in consultation with us were in discussions with various developers, including the larger Green Lane development, regarding an improvement to mitigate the future impact at the Crathorne (A19/A67) Junction. In February consultation with SBC’s Highways Team informed us that they are satisfied that an approach had been put in place to deliver a suitable junction improvement and as the impact of this development on the SRN is not severe we responded with no objection.”

In addition, SBC Planning Officers reported in July that:

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

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

However Fore Consulting regarding 16/1959/OUT now state:

“Notwithstanding a lack of objection from Highways England”

“the Council has also drawn up a wider mitigation scheme for the A19/A67 Crathorne Interchange (see Drawing Reference: TS10178-PD-005 which is attached to this note as Appendix B) (“the Mitigation Scheme”). We now understand that the Mitigation Scheme is to be the intervention that the Council requires implementing to address the effects of the Proposed Development, alongside the effects of background traffic growth and other schemes which benefit from planning permission”

The Drawing Reference quoted by Fore is not the same as that shown in the Appendix which is TS10178-PD-006, however SBC Highways, Transport and Environment do make reference to this in their latest document dated 14/11/16 but also state that any details will need to be approved by Council in consultation with Highways England.

Highways and Transport also make mention of Assessment of this junction up to 2025, yet our FOI request to SBC ref 1083/1617 in August of this year contained the following reply :

* What is the impact of all cumulative developments on traffic volumes then heading south on the A67 to the A19 Crathorne Interchange for the period 2016 - 2022 - 2026

“The traffic modelling undertaken to date has report on journey times along specific routes within the model area and as such no data is currently available in relation to traffic volume”

In view of the foregoing we must register our mistrust of information received from all parties relating to this and the earlier application 15/1643/OUT. We are aware that in the coming weeks

there are several applications coming before committee and as such would request that the SBC Planning Committee must defer any decisions until we have complete clarity. In addition we would ask you to take into consideration the Approval notice and 106 Agreement relating to 12/1990/EIS which clearly states:

33. Prior to occupation of any dwellings on the site, the required improvements to the A19/A67 Crathorne Interchange (as set out in the preceding condition) shall be completed to the satisfaction of the local planning authority, in consultation with the Highways Agency.

We would suggest that it would be negligent to ignore the above before discussing any further developments and would request a reply from you by Friday 25th November.

11. Tees Archaeology

This site was archaeologically evaluated in 2012 with geophysical survey and trial trenching. This demonstrated that the site had low archaeological potential. I can therefore confirm that the development should not have a significant impact on any known heritage assets.

12. Natural England

Natural England has no comments to make on this application.

13. Highway England

No objection. We note that Stockton Borough Council (SBC) propose to improve the intersection of the northbound entry/exit slip road from the A19 access and the A67 at the Crathorne by installing a roundabout. This will accommodate the cumulative impact from this and other proposed developments in the area. Although traffic generated by the impact of this planning application in isolation does not generate an amount of traffic that presents a severe impact at the Strategic Road Network, we note that SBC may seek an appropriate contribution alongside other contributions towards the cost of highway improvements.

14. Durham Tees Valley Airport

Durham Tees Valley Airport Ltd has no objection to the proposal above.

15. Councillor E Hampton

My reasons for objecting:-

Traffic Issues.

The only point of access/egress to the site proposed by the developer is situated on the A67 and is currently at an agricultural track not far from Kirklevington Hall Drive. The A67 is a road which currently has a 60 mph speed limit.

Because of a previous planning application to build on land on both sides of the railway line, the road between the Drive and the roundabout has already been assessed by Stockton Borough Council and been declared to be unsuitable for the location of an access/egress road to a development in this precise location. It must be stressed that the current application is actually for part of the land designated in the original application, being located between the railway line and the A67.

In 2012 a Freedom of Information request was made to Stockton Borough Council by Kirklevington Parish Council. The reply from Stockton Borough Council was dated 8th of August 2012, with your reference number being 9948. Question 3, on Page four of the reply, related to "significant issues regarding the local road network". The reply to Question 3 contains comments made by the Highways Officer relating to the exact same part of the A67 included in the current application. The Highways Officer categorically stated "Access to A67/Kirklevington Road would not be allowed." In 2012 Stockton Borough Council emphatically stated that an access would not be allowed in this location and therefore must demonstrate consistency in the way in which it assesses an access to this proposed development site.

Access: to the development from the north would create a dangerous right hand turn into the estate. Traffic, having adhered to the 30 mph limit up to the roundabout increase their speed significantly when entering a 60 mph limit.

Egress: from the development is at a dangerous point whether turning right or left with traffic coming through the "S" bends and accelerating from the roundabout at the Shell garage. The road had a 60 miles per hour speed limit at that time and still retains this limit. The sight lines for the entrance to the proposed development should therefore be assessed against the actual road speed limit and not against a lower speed limit. Even if it could be proven that a large percentage of the traffic on the A67, at this point, is actually moving at a speed below the limit, it is an incontrovertible fact that any user of the road would be legally allowed to travel at, up to, 60 miles per hour. At such a speed the proposed sight lines for the new development would be completely inadequate and, in fact, dangerous. If Stockton Planning Department decided to agree the proposed reduced sight lines for the development, a motorist travelling at the legal speed limit could find themselves involved in a road traffic accident through no fault of their own, but due to Stockton Borough Council having agreed to sight lines for the entrance to a new development which are approximately only half of those required for a 60 miles per hour road.

The site of the development.

The proposed site is outside the limits to development contained within the Local Plan. The site is currently farmed land without any building and is part of the wildlife corridor. It will therefore erode the Green Wedge between Yarm and Kirklevington.

Already 2,000 houses have 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. Without any further development, Stockton Borough Council has already stated that the roundabout will be congested at peak periods. If approved this development will only serve to exacerbate the situation by increasing the overloading of the roundabout.

16. Highways Transport And Environment

Subject to the comments below the Highways, Transport and Environment Manager has no objections to the outline planning application, with all matters reserved except for means of access, for the construction of up to 100 dwellings.

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

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

The results show that there that further improvements would be required at the A19/A67 Crathorne interchange and the A67 / A1044 / Green Lane Roundabout.

The delivery of both schemes, which are shown on drawing ref. TS/10178/PD/006 and 2100/SK001/002 respectively, would be secured through a S106 / S278 Agreement, as appropriate and would take account of any contributions already secured towards mitigating the impact of development at this location.

Prior to commencement of the development, further details of the improvements to the A19/A67 Crathorne Interchange should be submitted and approved by the Council in consultation with the Highways England and this will be secured via a S106 / S278 Agreement as appropriate. A Stage 2 Road Safety Audit should also be submitted for the proposed layout at that time.

The proposed site access arrangements, as shown on drawing ref SK010 Rev B and SK011 Rev B, which would be taken from the A67 Thirsk Road are considered to be acceptable and would be secured through a S278 Agreement.

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

The applicant has submitted an Interim Residential Travel Plan in support of the proposed application which is considered to be broadly acceptable. The agreement of a final Travel Plan should 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 are required, and will be secured via a S278 Agreement:

- A new pedestrian crossing facility on the A1044 Green Lane (as shown on figure 6 of the Interim Residential Travel Plan);
- A new footway link from the crossing facility to Yarm Rail Halt (as shown on figure 6 of the Interim Residential Travel Plan);
- 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 Construction Management Plan should be agreed prior to construction commencing on the site and this should be secured by condition.

The submitted Landscape and Visual Impact Assessment demonstrates 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. The view is limited by existing mature vegetation which will be enhanced with additional buffer planting to the site perimeter. This buffer planting along the eastern and northern boundaries as shown on the indicative layout is essential to allow the development to progress.

The spatial syntax drawing demonstrates a clear hierarchy of buildings and spaces. This should be clearly reflected in any reserved matters application, with careful sections of materials, tree species etc to provide a sense of place. The indicative site layout responds to the existing constraints of the site, notably the existing mature tree groups which have been incorporated into the design. New planting on the site should reflect this parkland character, with small groups of large species trees, as well as individual specimens.

There are no landscape and visual objections to the proposed development, although the Highways Transport & Environment Manager would request some minor amendments to the layout. It is considered that these matters can be addressed as part of the detailed design submitted within any Reserved Matters Application.

The proposed development is in a Flood Zone 1 and the Environment Agency flood maps show a low risk of surface flooding, a 0.1% (1 in 100 year event) chance in any year, in the south eastern corner of the site.

The applicant has not provided sufficient detail regarding the management of surface water runoff from the proposed development and this information should be secured by condition.

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

Detailed comments and conditions are included the appendices.

17.Environmental Health Unit

I have no objection in principle to the development, subject to the imposition of the following conditions:

- Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

- Demolition and Dust Emissions

A scheme should be provided to control dust emissions as a result of demolition works, such as dampening down, dust screens and wheel washers to prevent mud being tracked onto the highway. Mobile crushing and screening equipment shall have any appropriate local authority PPC permit required and a copy of this permit available for inspection.

Noise

I am satisfied that submitted Noise report shall meet the levels specified in condition below providing that the applicant implements all of the mitigation measures described in the report.

Noise disturbance from adjacent road and rail traffic

Prior to the commencement of the development, a noise survey shall have been submitted to and approved, in writing, by the Local Planning Authority. The survey shall be undertaken by a competent person with daytime measurements taken between 0700-2300 hours and night-time measurements between 2300-0700 hours. The survey should identify appropriate noise mitigation measures. All residential units shall thereafter be assigned so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233.

- Dwellings indoors in daytime: 35 dB LAeq,16 hours

- Outdoor living area in day time: 55 dB LAeq,16 hours

- Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAmax)

- Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAmax)

Such detail and appropriate consequential noise mitigation measures as shall have been agreed, in writing, by the Local Planning Authority shall be implemented prior to occupation of the building on the site and shall be maintained as agreed thereafter.

I can confirm that the site does not lie within an AQMA (Air Quality Management Area)

18.Northern Gas Networks

Northern Gas Networks has no objections to these proposals and standard mains record shown.

19.Northumbrian Water Limited

Thank you for consulting Northumbrian Water on the above proposed development.

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

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

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Flood Risk & Drainage Strategy". In this document it states surface water will discharge to the watercourse and foul water will discharge between manholes 6301 & 5301.

We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk & Drainage Strategy". The drainage scheme shall

ensure that foul flows discharges between manholes 6301 & 5301, and ensure that surface water discharges to the existing watercourse.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards.

20. Spatial Planning & Regeneration

As you will be aware section 38(6) of the Planning and Compulsory Purchase Act 2004 requires an application for planning permission to be determined in accordance with the Development Plan, unless the material considerations surrounding the proposal indicate otherwise. The development plan for Stockton on Tees Borough is made up of policies from the adopted Core Strategy (2010) and saved policies from the Local Plan (1997) and Local Plan Alteration Number One (2006). Policies of particular relevance to this application which are considered in detail in this response are:

' Core Strategy Policy CS10: Point 3 states that 'The separation between settlements, together with the quality of the urban environment, will be maintained through the protection and enhancement of the openness and amenity value of' Strategic gaps between the conurbation and the surrounding towns and villages".'

Local Plan Policy EN13: identifies the limits to development around the main urban core and the villages.

As you will be aware, the NPPF includes a presumption in favour of sustainable development which requires proposals in accordance with the development plan to be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF, or specific policies in the NPPF indicate development should be restricted.

The Council cannot demonstrate a 5 year supply of housing land. The policies in the development plan that deal with housing supply are therefore to be considered out of date and the proposal must be assessed in relation to the presumption in favour of sustainable development.

In addition to these policies, the determination of the application should consider other planning policies and material considerations relating to the design of the development, amenity of residents, highway impact, amongst other things.

21. Housing Services Manager

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

Core strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision states:

Affordable housing provision within a target range of 15 – 20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 hectares or more. Offsite provision or financial contributions instead of on site provision may be made where the Council considers that there is robust evidence that the achievement of mixed communities is better serviced by making provision elsewhere.

We note from the Planning and Sustainability Statement that the applicant is proposing 15% of the total housing numbers to be provided as affordable housing.

The mix of affordable housing currently required to be provided is 30% intermediate and 70% rented tenures, and based on the SHMA 2012 a high priority will be accorded to the delivery of

smaller houses and bungalows. Affordable housing provision with a tenure mix different from the standard target will only be acceptable where robust justification is provided. This must demonstrate either that provision at the target would make the development economically unviable or that the resultant tenure mix would be detrimental to the achievement of sustainable, mixed communities.

This proposal is acceptable as it meets the 15% minimum requirement for affordable housing.

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

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

Proportion	No. of units	Tenure
70%	11 units	Rent
30%	4 units	Intermediate Tenure
100%	15 units	Total

- Bed Size: Using borough wide figures from the SHMA 2012

Size	Proportion	No. of units
2 bed	91%	14 units
3 bed	9%	1 units
Total	100%	15 units

Tenure for the above would then be split as follows:

No. of units	Size	Tenure
14 Units	2 bed	10 x Rented
4 x Intermediate Tenure		
1 Unit	3 bed	1 x Rented

Where possible we would expect the phasing for the delivery of the affordable units to comply with the requirements set out in the Council's Supplementary Planning Document 8 – Affordable Housing as set out in Appendix 2, page 28.

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

22. Network Rail

Thank you for providing Network Rail with an opportunity to comment on the above mentioned application.

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the development to the railway. We understand that as the application is in outline form not all the below will be relevant at this stage but it gives an indication of the matters to be addressed at a later stage.

Given the development makes mention of the proximity of the railway station we would recommend that the council looks to secure a pedestrian / cycle access from the development to the station as the current foot route is very long. This is likely to result in residents jumping over the fence / boundary from the edge of the site adjacent to the railway station and trespassing upon Network Rail land. To ensure the sustainability of the development it would be prudent for the council and the developer to explore a suitable route from the site to the station. This should be made up to cycleway standard to encourage additional cycle trips to and from the station.

Drainage

There does not appear to be a formal drainage strategy for the site. However the existing flow

rates show there are a number of significant theoretical flow paths towards the railway at the southern end of the site, where the developer proposes to build a SuDS retention basin, that will discharge to the watercourse to the south of the site.

1. The soil beneath the site is classified as deep clayey loam: this is perhaps not suitable for soakaways?

2. The proposed retention basin is too close to the crest of Network Rail's cutting, which is a deep one. There is also a depression at the Upside crest at 054.0502.

3. The Upside cuttings adjoining the development area are classed as being of average and low risk.

Should the council be minded to approve this application Network Rail would require a number of drainage conditions and we would expect these to be fully dealt with a detailed application stage.

Clearance Conditions: Drainage

We ask that all surface and foul water drainage from the sale/development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail's asset protection team before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. We would therefore ask for the retention basin to be re-located further away from the railway. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Protection of existing railway drainage assets within a clearance area

There are likely to be existing railway drainage assets (crest drains, for example) in the vicinity of the proposed works. Please proceed with caution.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

There must be no interfering with existing drainage assets/systems without Network Rail's written permission.

The purchaser is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the sale/development area before work starts on site.

Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling adjacent to the railway. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary.

Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway.

Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the

railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Acceptable:

Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

A comprehensive list of permitted tree species is available upon request.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Armco Safety Barriers

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Should any road or turning head be positioned adjacent to the railway such a barrier should be provided (this is consistent with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways).

Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. Where appropriate

an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development adjacent to the railway, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Children's Play Areas/Open Spaces/Amenities

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should not be able to be climbed.

I would advise that in particular the drainage, boundary fencing, method statements, soundproofing and landscaping should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

23.Children, Education And Social Care

Education contribution for both Primary and Secondary places. 100 homes would equate to the following additional school places - 26 for primary and 20 for secondary.

This would generate a contribution of £239,590 for primary and £298,560 for secondary.

Any discount would be applied against surplus places at Kirklevington Primary School and Conyers Secondary School at agreed trigger point.

PUBLICITY

24. It should be noted that the applicant has undertaken consultation in accordance with the adopted Statement of Community Involvement which involved a public consultation event held at Conyers School, Green Lane, Yarm on 21st July 2016.

25. Neighbours were notified and 90 letters of objection were received from the addresses detailed below with the main objections summarised below. The full details of the objections can be viewed on line at the following web address <http://www.developmentmanagement.stockton.gov.uk/online-applications/>

1. Mr James R Irvine 21 St Martins Way Kirklevington Stockton-on-Tees TS15 9NR
2. Mr Malcolm McAthur 2 Langdale Close Egglecliffe Stockton-on-Tees TS16 9DN
3. Dr J G Parker 14 Ash Grove Kirklevington Yarm TS15 9NQ
4. Ian Sayer 12 Beaumont View Norton Stockton-on-Tees TS20 2TS
5. David Bell 34 The Green Kirklevington Yarm TS15 9NW
6. S.M.Crawshaw 55 Forest Lane Kirklevington Yarm TS15 9NE
7. Bridget Whitcombe 15 Strathmore Drive Kirklevington Yarm TS15 9NS
8. Mr Philip Hall 4 The Green Kirklevington Stockton-on-Tees TS15 9NW
9. Mr William O'Connell 10 Westlands Kirklevington Yarm TS15 9NF
10. Nigel De Badgecoe 18 St Martins Way Kirklevington Yarm TS15 9NR
11. Susan De Badgecoe 18 St Martins Way Kirklevington Yarm TS15 9NR
12. Mr. Anthony Stephen Hampton The Lodge Kirklevington Hall Thirsk Road Kirklevington Yarm
13. Helen Pickering 19 Church Road Egglecliffe Stockton-on-Tees TS16 9DQ
14. C Bielby 28 St Martins Way Kirklevington Yarm TS15 9NR
15. Mr Shane Sellers 2 Egglecliffe Court Egglecliffe Stockton-on-Tees TS16 9BU
16. Mrs Joanna Sellers 2 Egglecliffe Court Egglecliffe Stockton-on-Tees TS16 9BU
17. Dr Anthony Harrison St Annes House The Green Egglecliffe Stockton-on-Tees TS16 9DB
18. Andrew Young Heathwaite Thirsk Road Yarm TS15 9LJ
19. Mr Darren Powner Crossways Thirsk Road Yarm TS15 9LJ
20. Mr Colin Morris 4 Lane End Cottages Thirsk Road Kirklevington Yarm TS15 9LN
21. Mr Marek Pawlak 2 Field View Mews Green Lane Yarm TS15 9EH
22. Dr Derek Cruickshank North Park House Green Lane Yarm TS15 9EH

23. Mrs Rachel Wilkinson 1 Field View Mews Green Lane Yarm TS15 9EH
24. Mr Darren Best 3 Lane End Cottages Thirsk Road Kirklevington Yarm TS15 9LN
25. Mr Noel Robinson 2 Lane End Cottages Thirsk Road Kirklevington Yarm TS15 9LN
26. Mr Ivan Bramley 3 Kirklevington Hall Drive Kirklevington Yarm TS15 9LH
27. Joanne Elliott 4 Kirklevington Hall Drive Kirklevington Yarm TS15 9LH
28. Ian McDougall 1 Kirklevington Hall Drive Kirklevington Yarm TS15 9LH
29. Mrs Carolyn Casey 9 Kingsdale Close Yarm Stockton-on-Tees TS15 9UQ
30. Mr Stephen Ward 7 Westlands Kirklevington Stockton-on-Tees TS15 9NF
31. Dr Mohammed Kibirige 1 Braeside Kirklevington Yarm TS15 9NB
32. Mr John Otterson 72 Forest Lane Kirklevington Stockton-on-Tees TS15 9ND
33. P Snaith 65 Forest Lane Kirklevington Yarm TS15 9NE
34. Mr Frederick Holmes 118 The Meadowings Yarm Stockton-on-Tees TS15 9QS
35. Mrs Claire Stage 40 The Slayde Yarm TS15 9HZ
36. Mr Robin Millman 3 Church Close Eggescliffe Stockton-on-Tees TS16 9DH
37. Mr Ian Forman 45 Forest Lane Kirklevington Yarm TS15 9NE
38. Mr David Butler 10 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
39. Mrs Frances Hunter 1 Strathmore Drive Kirklevington Yarm TS15 9NS
40. Mr Austin Gaunt 3 Rose Terrace Eggescliffe Stockton-on-Tees TS16 9DD
41. Mr David Powell 17 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
42. Mr Mark Ellis Kirklands Church Road Eggescliffe Stockton-on-Tees TS16 9DQ
43. Mrs. K.M Alton 10 The Green Kirklevington Yarm TS15 9NW
44. Mr Anthony Mace 18 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
45. Mrs Nicky Weir 18 Grisedale Crescent Eggescliffe Stockton-on-Tees TS16 9DS
46. Mrs Sandra Hartley 20A Ash Grove Kirklevington Yarm TS15 9NQ
47. Ian Hindmarsh 70 Forest Lane Kirklevington Yarm TS15 9ND
48. Craig Harrison The Lodge Kirklevington Grange Yarm TS15 9LL
49. Mrs L Arnold Waverley House Hornby Northallerton dl6 2jq

50. Mrs Carmel Morris 4 Lane End Cottages Thirsk Road Kirklevington Yarm TS15 9LN
51. Mrs Sarah Harding 2 Lane End Cottages Thirsk Road Kirklevington Yarm TS15 9LN
52. Rose Cruickshank North Park House Green Lane Yarm TS15 9EH
53. Mr David Wilkinson 1 Field View Mews Green Lane Yarm TS15 9EH
54. Mr Brian Plumb 4 Church Road Egglecliffe Stockton-on-Tees TS16 9DQ
55. Mrs Pauline Thompson 45 Ash Grove Kirklevington Yarm TS15 9NQ
56. Mrs Katherine Pickover 5 Dinsdale Drive Egglecliffe Stockton-on-Tees TS16 9HQ
57. Mrs P Mairs 22 Hall Moor Close Kirklevington Yarm TS15 9NN
58. Graham And Suan Jacobs 5 Kirklevington Hall Drive Kirklevington Yarm TS15 9LH
59. Steven Campbell 14 Kingsdale Close Yarm TS15 9UQ
60. Mrs Kathleen Page 42 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
61. Jennie Beaumont 3 St Martins Way Stockton On Tees TS15 9NR
62. Mr Neil Thompson 45 Ash Grove Kirklevington Yarm TS15 9NQ
63. Gill Allen 4 St Martins Way Kirklevington Yarm TS15 9NR
64. Alistair McLee 3, The Green, Kirklevington. TS15 9NW
65. J M Smith Grove Farm, Kirklevington, Stockton-on-Tees
66. Mr George Hartley 20A Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
67. Andrew Alton 10 The Green Kirklevington Yarm TS15 9NW
68. Mrs Vivienne Chadwick 1 Seymour Grove Egglecliffe Stockton-on-Tees TS16 0LB
69. Mr John Firth 25 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
70. Mr Neil Abbott 6 Eastbourne Avenue Egglecliffe Stockton-on-Tees TS16 9BZ
71. Mr Ian Betts 39 Grisedale Crescent Egglecliffe Stockton-on-Tees TS16 9DS
72. Robert Snaith 65 Forest Lane Kirklevington Yarm TS15 9NE
73. Mr David Whitcombe 15 Strathmore Drive Kirklevington Yarm TS15 9NS
74. Mr Colin Cuthbert 9 Eastbourne Avenue Egglecliffe Stockton-on-Tees TS16 9BZ
75. Mrs Suzanne Pratt The Hawthorns Pump Lane Kirklevington Stockton-on-Tees TS15 9LQ
76. Mr Alan Mairs 22 Hall Moor Close Kirklevington Yarm TS15 9NN
77. Mr Eric Heaviside 37 Ash Grove Kirklevington Yarm TS15 9NQ

78. Mr David Brickles 4 Jasmine Fields Kirklevington Stockton-on-Tees TS15 9JD
79. Mrs Mary Brickles 4 Jasmine Fields Kirklevington Stockton-on-Tees TS15 9JD
80. Mr Michael Page 42 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
81. Mrs Nova Robinson 2 Finchfield Close Eaglescliffe Stockton-on-Tees TS16 0EY
82. Mrs Margaret Firth 25 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
83. Mr Andrew Wortley 43 Glaisdale Road Yarm Stockton-on-Tees TS15 9RN
84. Mrs Rosalie Butler 10 Ash Grove Kirklevington Stockton-on-Tees TS15 9NQ
85. D.I.W Bewley 18 Grove Bank, Kirklevington, Yarm, TS15 9NJ
86. Mr George Warters 27 St Martins Way Kirklevington Stockton-on-Tees TS15 9NR
87. Mrs Christine Mundy 28 Crosswell Park Ingleby Barwick Stockton-on-Tees TS17 5BE
88. Mr Neville Thompson 23 Tenby Way Eaglescliffe Stockton-on-Tees TS16 9EQ
89. Mrs Ruth Mazonas 1 St Martins Way Kirklevington Stockton-on-Tees TS15 9NR
90. Dr Philip Arnold Waverly House Hornby Northallerton DL6 2JQ

26. The main concerns were: -

Erosion of green belt;

Highway officers previously emphatically stated no access off the A67;

No benefit to wider community;

Undemocratic decision making;

Developers should contribute to replacing Railway Bridge;

Urban sprawl ruining the countryside;

Dangerous speeds on the A67;

Linked to Yarm School's proposals for playing fields;

Brownfield first;

A67 has a dangerous S bend and blind rise;

Narrow pavement on A67 and very dangerous;

If Yarm School footbridge is approved they will apply to build houses on their playing fields;

Development should be shared throughout the Borough;

Further congestion will deteriorate attractive features and historic conservation area;

Should build a new town;

The traffic report is fictitious;

No connecting cycle paths;

Land has restrictive covenant preventing development for 90 years;

Exacerbate urban foxes and disturb snakes through urbanisation of countryside;

No alternative access for emergency vehicles;

Creating dangerous right hand turn;

There are already a number of unsold and to let properties in the area;

Contrary to policy and NPPF which indicate that the development should be rejected;

The development will be built in the historic parkland of Kirklevington Hall and no attempt to integrate into the historic landscape;

Case law safeguards policies for the general protection of the countryside/cultural heritage;

There is no lack of affordable housing in the area;

The archaeological desk based assessment is flawed;
SBC consultation document identifies the site as not suitable for development because not achievable for the foreseeable future as highway capacity restricts the amount of developable potential in Yarm;
Already gridlock;
Protected right turn will add to queues;
Pedestrian safety;
Stockton's planning shortfall of housing figure is dubious;
Arup report has not been made available for comment and deadline to response is absurd and probably illegal;
Over development of rural areas;
Executive housing should be in Wynyard;
At present 10% of approved housing has been built and already congestion at peak times is horrendous;
The landscape visual assessment and archaeological report include inaccurate material and therefore drawing incorrect conclusions from material of dubious origin;
Not sustainable;
Development not suitable for area;
Loss of greenfield;
Loss of privacy;
Means of access not satisfactory;
Over development of site;
Overdevelopment of Yarm;
Scale/size of development;
Impact of drainage and services;
Crossing road to Conyers School is dangerous;
Greenfield site;
Lack of infrastructure and facilities in the area such as health centres, schools, shops, community centres, youth clubs, library, park, post office which will be unable to cope with proposed development;
Existing schools and medical services at full capacity;
Lack of bus service;
Destruction of wildlife habitats and rare species;
Damage to Wildlife Corridor;
Site is prone to flooding due to overfilled drains;
Increased traffic congestion to unacceptable levels;
Existing vehicular access in and out of Yarm is unacceptable;
Strategic review of Yarm's development and infrastructure needs required;
Situated in the Strategic Gap;
Area is valued for biodiversity;
Sewage disposal system is at full capacity;
Site is unsustainable;
Increased traffic congestion;
Loss of good arable farming/ agricultural land;
Additional parking at Yarm Station not provided;
Additional traffic created on the A19 and A67;
Car parking issues evident on Yarm High Street;
Increased air pollution;
Sufficient brown field land elsewhere in Borough;
Set precedent;
Impact of traffic from all proposed developments;
Increased pressure on the Emergency Services;
Closing of the Strategic Gap between Yarm and Kirklevington;
Development should not be considered in isolation from other proposed and approved housing sites;

Loss of natural habitat and good quality agricultural land;
Increases urban sprawl of the borough;
Impact on character of Yarm;
Outside limits to development;
Increase in traffic congestion have negative impact on local shops and businesses;
No demand for additional houses;
Inadequate highway infrastructure;
Impacts on the environment;
Focus on Stockton Town Centre instead;
Area will be overcrowded;
Existing car parking in Yarm is insufficient;
Development will adversely affect the quality of life for residents in the area;
Large amount of housing already approved;
Applications should not be dealt with on a case by case basis;
Damage wildlife corridor from Leven Valley to North Yorkshire.

PLANNING POLICY

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

National Planning Policy Framework

Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Local Planning Policy

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

Core Strategy Policy 1 (CS1) - The Spatial Strategy

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

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

3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.
4. The completion of neighbourhood regeneration projects at Mandale, Hardwick and Parkfield will be supported, and work undertaken to identify further areas in need of housing market restructuring within and on the fringes of the Core Area.
5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.
6. A range of employment sites will be provided throughout the Borough, both to support existing industries and to encourage new enterprises. Development will be concentrated in the conurbation, with emphasis on completing the development of existing industrial estates. The main exception to this will be safeguarding of land at Seal Sands and Billingham for expansion of chemical processing industries. Initiatives which support the rural economy and rural diversification will also be encouraged.

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

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. All major development proposals that are likely to generate significant additional journeys will be accompanied by a Transport Assessment in accordance with the 'Guidance on Transport Assessment' (Department for Transport 2007) and the provisions of DfT Circular 02/2007, 'Planning and the Strategic Road Network', and a Travel Plan, in accordance with the Council's 'Travel Plan Frameworks: Guidance for Developers'. The Transport Assessment will need to demonstrate that the strategic road network will be no worse off as a result of development. Where the measures proposed in the Travel Plan will be insufficient to fully mitigate the impact of increased trip generation on the secondary highway network, infrastructure improvements will be required.
3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.
4. Initiatives related to the improvement of public transport both within the Borough and within the Tees Valley sub-region will be promoted, including proposals for:
 - i) The Tees Valley Metro;
 - ii) The Core Route Corridors proposed within the Tees Valley Bus Network Improvement Scheme;
 - iii) Improved interchange facilities at the existing stations of Thornaby and Eaglescliffe, including the introduction or expansion of park and ride facilities on adjacent sites; and
 - iv) Pedestrian and cycle routes linking the communities in the south of the Borough, together with other necessary sustainable transport infrastructure.
5. Improvements to the road network will be required, as follows:
 - i) In the vicinity of Stockton, Billingham and Thornaby town centres, to support the regeneration of these areas;

- ii) To the east of Billingham (the East Billingham Transport Corridor) to remove heavy goods vehicles from residential areas;
- iii) Across the Borough, to support regeneration proposals, including the Stockton Middlesbrough Initiative and to improve access within and beyond the City Region; and
- iv) To support sustainable development in Ingleby Barwick.

6. The Tees Valley Demand Management Framework will be supported through the restriction of long stay parking provision in town centres.

7. The retention of essential infrastructure that will facilitate sustainable passenger and freight movements by rail and water will be supported.

8. This transport strategy will be underpinned by partnership working with the Highways Agency, Network Rail, other public transport providers, the Port Authority, and neighbouring Local Authorities to improve accessibility within and beyond the Borough, to develop a sustainable

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

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

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

3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

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

6. All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.

7. Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.

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

- _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;

_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

9. The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

Core Strategy Policy 6 (CS6) - Community Facilities

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

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

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

Housing Sub Area Approximate number of dwellings (net)
Core Area 450 - 550
Stockton 100 - 200

5. Funding has been secured for the Tees Valley Growth Point Programme of Development and consequently the delivery of housing may be accelerated.

6. Proposals for small sites will be assessed against the Plans spatial strategy.

7. There will be no site allocations in the rural parts of the Borough

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

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of all types and tenure in line with the Strategic Housing Market Assessment (incorporating the 2008 Local Housing Assessment update).

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

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

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

4. The average annual target for the delivery of affordable housing is 100 affordable homes per year to 2016, 90 affordable homes per year for the period 2016 to 2021 and 80 affordable homes per year for the period 2021 to 2024. These targets are minimums, not ceilings.

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

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

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

8. Where a development site is sub-divided into separate development parcels below the affordable housing threshold, the developer will be required to make a proportionate affordable housing contribution.

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

10. The Council will support proposals that address the requirements of vulnerable and special needs groups consistent with the spatial strategy.

11. Major planning applications for student accommodation will have to demonstrate how they will meet a proven need for the development, are compatible with wider social and economic regeneration objectives, and are conveniently located for access to the University and local facilities.

12. The Borough's existing housing stock will be renovated and improved where it is sustainable and viable to do so and the surrounding residential environment will be enhanced.

13. In consultation with local communities, options will be considered for demolition and redevelopment of obsolete and unsustainable stock that does not meet local housing need and aspirations.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

1. In taking forward development in the plan area, particularly along the river corridor, in the North Tees Pools and Seal Sands areas, proposals will need to demonstrate that there will be no adverse impact on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European sites, either alone or in combination with other plans, programmes and projects. Any proposed mitigation measures must meet the requirements of the Habitats Regulations.

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

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

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

ii) Green wedges within the conurbation, including:

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

iii) Urban open space and play space.

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

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

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

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

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

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

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

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

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

Core Strategy Policy 11 (CS11) - Planning Obligations

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

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

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

Saved Policy EN4

Development which is likely to have an adverse effect upon sites of nature conservation importance will only be permitted if:-

- (i) There is no alternative available site or practicable approach; and
- (ii) Any impact on the sites nature conservation value is kept to a minimum.

Where development is permitted the council will consider the use of conditions and/or planning obligations to provide appropriate compensatory measures.

Saved Policy EN13

Development outside the limits to development may be permitted where:

- (i) It is necessary for a farming or forestry operation; or
- (ii) It falls within policies EN20 (reuse of buildings) or Tour 4 (Hotel conversions); or

In all the remaining cases and provided that it does not harm the character or appearance of the countryside; where:

- (iii) It contributes to the diversification of the rural economy; or
- (iv) It is for sport or recreation; or

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

Saved Policy EN28

Development which is likely to detract from a listed building will not be permitted.

Saved Policy EN30

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

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

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

MATERIAL PLANNING CONSIDERATIONS

28. The main planning considerations of this application are 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.

29. The application site is an unallocated site in the adopted local plan and is located outside the limits of development. Saved Policy EN13 seeks to strictly control development within the countryside beyond these 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 does not harm the appearance of the countryside. The proposed residential development does not fall within these categories and a judgement is required whether considerations in support of the proposed housing are sufficient to outweigh rural restraint policies.

30. A significant material consideration is the supply of housing land. The National Planning Policy Framework (NPPF) provides that "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites." (Para. 49).

31. The Council cannot demonstrate a 5 year supply of housing land and NPPF makes clear that where the development plan is absent, silent or out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole.

32. The benefits arising from the proposal in the context of housing are that it would align with NPPF aspiration for local authorities to boost significantly the supply of housing in their areas and contribute towards the five year supply of housing. The proposal would also contribute to meeting affordable housing within the Borough. The Council cannot demonstrate a five year supply, therefore the Local Plan policies relating to housing development must be considered out of date and the proposal considered against the presumption in favour of sustainable development and in particular the aspiration to boost housing supply.

33. It is considered that the application site is a sustainable development 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 is required to be placed on the need to support economic growth through the planning system. It is 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 NPPF and that planning permission should or could be reasonably withheld.

34. Core Strategy Policy 8 (CS8) – Housing Mix and Affordable Housing Provision, states that affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more. The proposals will result in 15% affordable housing and will therefore bring about significant socio-economic benefits.

35. Policy CS11 relates to planning obligations and sets out requirements for new development to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements. The applicant has indicated that they will enter into a Section 106 Agreement to provide a financial contribution for the additional school places should they be required and have agreed to contributions to fund off-site highway works and provide additional infrastructure to support sustainable links from the development to local facilities. Furthermore the applicant will agree to a Local Labour Agreement.

36. In terms of locational policy, limits to development have been identified around the main urban core and the villages. Where possible, limits have been drawn where there is a clear break between urban and rural uses and landscapes. Core Strategy Policy CS10.3 seeks 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.

37. The Council's Landscape Architect has assessed the proposal and concludes that the site is located south of the playing fields associated with Yarm School, and east of the railway line. South of the site is a wooded area and a group of properties including Judges Hotel formerly Kirklevington Hall. Access to this group of properties can be gained via a private road which passes south east of the development site. The development is contained within one large field and is surrounded by existing hedgerows and mature trees. Within the site there are a number of small tree groups.

38. The proposed development is generally of lower density than surrounding developments. The development is located towards the northern edge of the site, and the southern third of the site is indicated as open green space. This includes footpaths, planting and Sustainable Urban Drainage (SUDs) within an informal landscape. This open space feeds into the housing via new footpaths following existing hedge lines. Several smaller areas of open space are provided throughout the housing development and as buffer space between the housing and Green Lane.

39. The site is located within the Yarm Rural Fringe Character Area, and is described as a 'flat to rolling arable landscape' of large fields intersected by wooded valleys which follow local watercourses. There are pressures on these fringe areas for development due to their close proximity to settlements such as Yarm. These pressures have already been realised with the consented developments to the west of the site, at the Green Lane and Tall Trees sites, and this development must be considered within this context. Within the Stockton Borough Council Landscape Character Assessment and Capacity Study the area falls within SLCA0030 Yarm Station, and is described as having high landscape capacity.

40. It is 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 surround the site to the

south and east, but these are set within wooded areas, therefore built form is not visible in conjunction with this site.

41. Kirklevington Hall is a local heritage asset, which lies in character area SLCA0029 directly adjacent to the southern site boundary. A sense of openness is a key characteristic of the submitted indicative layout, which retains generous open spaces, and a large green space along the southern edge of the site. It is considered that small groups of trees, and occasional single trees within the south eastern corner of the site would be more appropriate, than a continuous dense buffer, and connect the development with the park landscape. Therefore, some minor amendments to the layout are required; however, it is considered that these matters can be addressed as part of the detailed design submitted within any Reserved Matters Application.

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

43. The location of the development is sufficiently separated from existing dwellings and it is considered that the proposed dwellings would be sufficiently far apart to meet any visual privacy requirements and the site has a sufficient area to meet the amenity of the occupants and it is not considered that the application will have any significant impact upon the privacy and amenity of neighbouring residents.

44. It is considered that the proposal has been designed to ensure that adequate distances are met and designed to negate any overlooking and it is considered that the site could satisfactorily accommodate a residential scheme of the type and nature proposed.

45. A Design and Access statement accompanies the application, which provides some design principles and information on the proposed nature, form, scale and appearance of the development as a whole. A condition is imposed requiring the development to be carried out in broad accordance with this document to ensure that the dwellings, both individually and collectively, are in keeping with the location.

46. The application is accompanied by an Ecological Impact Assessment which confirms that there are no statutorily designated sites for nature conservation within 2km of the survey area (inclusive of Sites of Special Scientific Interest, Special Protection Areas and Special Areas of Conservation). The survey area comprises two arable fields with poor semi-improved grassland margins. Field boundaries are marked by a mixture of fence lines and species-poor hedgerows. Mixed plantation woodland is present out with the site to the south with further small areas within the survey area.

47. Habitats within the proposed development area are considered to primarily be of low ecological value comprising arable fields and species poor semi-improved grassland. Boundary hedgerows are primarily in-tact although species poor and are considered to be of local ecological value. Two small woodland copses and areas of mixed plantation woodland within the survey area are considered to be features of local to parish value.

48. To the south of the site lies extensive woodland considered to be a feature of district value and there are likely to be impacts through increased disturbance and footfall within this area. In order to mitigate this, an appropriate stand-off zone has been included between the proposed development and the woodland and fencing will be provided to prevent access to the woodland from the

residential area. Other key mitigation proposed as part of the survey include: vegetation clearance/tree felling to take place outside of the bird nesting season unless an ornithologist confirms the absence of active nests; the roots and crowns of trees will be protected through the provision of adequate construction exclusion zones; buffering of the woodland edge and landscaping will include native tree and shrub species; the SUDS area will include a number of smaller pools designed to be of wildlife benefit; a range of bat roosting and bird nesting features will be incorporated in to the new-build properties and landscapes areas; and habitats created will be regularly monitored and maintained through a management plan.

49. It is considered that appropriate mitigation measures are proposed and the proposal is unlikely to have an adverse effect on protected species subject to the imposition of a condition requiring the implementation of the proposed mitigation.

50. Comments have been made stating that the area is already prone to flooding and the sewage and drainage system cannot cope with the additional development.

51. In terms of flood risk, a Flood Risk Assessment accompanies the application and identifies the site falls within Flood Zone 1 (the lowest risk) with a need to demonstrate a satisfactory management of surface water. In relation to the management of surface and foul water arising from the development, Sustainable Urban Drainage Systems (SUDS) are to be provided within the open space area to the south of the development which will ensure that the development will not increase the probability of flooding elsewhere as a result of the increase in the impermeable area. The drainage strategy for the site will be agreed with Northumbrian Water and secured by means of a planning condition. Foul flows will discharge to the exiting public sewerage network as agreed with Northumbria Water who raise no objection to the proposal. The Council's Flood Risk Management section has considered the proposal and raises no objection subject to appropriate controlling conditions.

52. The proposal does not conflict with Planning Guidance in respect of contaminated land. A Noise Assessment report was submitted along with the application and the Environmental Health Unit has considered the proposal and raises no objection on these matters. The site does not lie within an AQMA (Air Quality Management Area) and the Environmental Health Unit raises no objection on this matter.

53. In respect of archaeology and heritage impact, the submitted archaeological assessment concluded that the proposed development will have no effect on any designated heritage assets or any undesignated heritage assets of national archaeological importance. There is no evidence of previously unidentified heritage assets of national importance within the proposed development area. Tees Archaeology has considered the proposal and stated that the site was archaeologically evaluated in 2012 with geophysical survey and trial trenching. This demonstrated that the site had low archaeological potential and can therefore confirm that the development should not have a significant impact on any known heritage assets.

54. The nearest designated heritage asset is Kirklevington Grange, a grade II listed building. The main considerations relating to heritage on the site therefore relate to the potential for underground archaeology which has been appropriately considered. Due to the nature of the development and the significant separation distances and significant tree planting separating the site from neighbouring heritage assets it is not considered that the proposal will impact on both the designated and undesignated heritage assets Kirklevington Grange or Kirklevington Hall. For clarification Kirklevington Hall (now Judges Hotel) is not a listed building however it is arguably a heritage asset. It is considered that the level of information submitted therefore is sufficient for full consideration to be given to the impact of the proposal on heritage assets and is reflective of the potential of the scheme to affect heritage assets on and in the vicinity of the site. It is therefore considered that the applicant has met the requirements of the NPPF. For the reasons outlined

above it is not considered that the application will adversely affect the significance of any heritage assets within the vicinity.

55. In terms of Policy CS3 and the reference to integrating of climate change mitigation and adaptation into housing design, in order to fully reflect the objectives of Core Strategy Policy 3 (CS3), the development proposals should have embedded within them a minimum of 10 percent of their energy from renewable energy sources. This is secured by a planning condition.

56. NPPF states that 'Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality'. The NPPF defines the best and most versatile agricultural land as being Grades 1, 2 and 3a. The application site is in agricultural use on land which is classified as grade 3b and will 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 is not considered to be significant enough to warrant refusal on this ground alone.

57. Comments have been made stating that there is a legal covenant on the land protecting it from development and it can only be used for farming. The applicant is not aware of any legal impediment which would preclude the site from coming forward and furthermore this is not a material planning consideration.

58. Comments have been made stating "that there is no need for additional housing. Approximately 2000 new dwellings are already permitted in the area. This will result in overdevelopment and represents urban sprawl between Yarm and Kirklevington. The cumulative impacts of these developments must be considered."

59. The Council is currently considering significant housing growth over the next 20 years to meet identified need and as previously stated the Council cannot demonstrate a five year housing land supply of deliverable sites and in the context of the Council being unable to demonstrate a five year housing land supply the presumption in favour of sustainable development applies. It is considered that there would be no impacts resulting from the development that would significantly and demonstrably outweigh the benefits and that there are no reasons that development should be restricted on the site having regard to the policies of the NPPF. The cumulative impact of development has been considered in the planning application and it is concluded that, following mitigation, there are no adverse cumulative effects arising from the development when considered with other developments in the surrounding area.

60. Comments have been made stating there is a lack of demand and there are currently multiple homes for sale which have been on the market for some time.

61. In average market conditions a number of houses are for sale at any one time. This does not mean that there is no latent demand for new housing to meet the needs and aspirations of the Borough. The Council must bring forward new development in order to achieve a five year supply of deliverable sites in accordance with the requirements of the NPPF. Further the new homes being developed in and around Yarm are all understood to be proceeding at rates in advance of industry expectations.

62. Comments have been received stating that there is a strong possibility that if this scheme goes ahead, Yarm School will pursue its target of developing its existing playing fields for housing and transferring its sporting facilities to a site on the north of the River Tees. In response it must be noted that this proposal is a standalone proposal which must be considered on its own merits.

63. Comments have been received stating that the special character of the Leven Valley will be lost forever. In response the Landscape and Visual Impact Assessment prepared to accompany the planning application concludes that the landscape has the capacity to accommodate a development of this nature and would not result in unacceptable cumulative effects. The Council's Landscape Architect has fully considered the proposal and agrees with the conclusion and raises no objection subject to controlling conditions.

64. In terms of economic benefits for the community, the proposed development will deliver a number of economic benefits including first occupation expenditure on goods and services, a proportion of which would be captured locally and the applicant states £1.4m net additional expenditure per annum generating 20 FTE jobs in local shops and services.

65. The application is accompanied by a Transport Assessment in order to satisfy the Local Planning Authority that the principle of the development and the subsequent movement of future traffic can be accommodated in and around the site on the surrounding road network.

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

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

68. The YIBAM traffic modelling provides 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 show 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.

69. The proposed site access arrangements are considered to be acceptable and would be secured through a S278 Agreement.

70. The applicant has submitted an Interim Residential Travel Plan in support of the proposed application which is considered to be broadly acceptable. The agreement of a final Travel Plan will be secured by condition.

71. The following works as identified in the Interim Residential Travel Plan, to improve the existing bus and off-site pedestrian and cycle infrastructure are required, and will be secured via a S278 Agreement:

- A new pedestrian crossing facility on the A1044 Green Lane (as shown on figure 6 of the Interim Residential Travel Plan);
- A new footway link from the crossing facility to Yarm Rail Halt (as shown on figure 6 of the Interim Residential Travel Plan);
- 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.

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

73. Therefore, taking account of the above, the Highways, Transport and Environment Manager does not object to the proposed development in relation to the predicted impact on the highways network. Highways England has also considered the scheme and raises no objection.

CONCLUSION

74. The proposed development has been considered in the context of the submitted information, consultee and consultation responses. The impacts of the proposal have been considered against national and local planning guidance, the development is 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 makes clear that the Local Planning Authority's existing housing delivery policies cannot be considered as up to date as it cannot demonstrate a five-year supply of deliverable housing sites. Also housing applications are to be considered in the context of the presumption in favour of sustainable development.

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

76. It is considered that there are important material benefits arising from the proposed development. Therefore it is considered that the presumption in favour of sustainable development applies and there are 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 is accordingly recommended for approval.

Director of Economic Growth and Development Services
Contact Officer Mr Gregory Archer Telephone No 01642 526052

WARD AND WARD COUNCILLORS

Ward	Yarm
Ward Councillor(s)	Councillor Ben Houchen
Ward Councillor(s)	Councillor Elsi Hampton
Ward Councillor(s)	Councillor Julia Whitehill

IMPLICATIONS

Financial Implications: As Report

Environmental Implications: As Report

Human Rights Implications:

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

The Town and Country Planning Act 1990.

National Planning Policy Framework

Stockton on Tees Local Plan Adopted Version June 1997

Core Strategy Development Plan Document March 2010

Supplementary Planning Document 3: Parking Provision for New Developments

Supplementary Planning Document 6 : Planning Obligations